



Canada Border  
Services Agency

Agence des services  
frontaliers du Canada



# **CBSA Standard Operating Procedures on Agency Firearms and Defensive Equipment**

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## **Part 1: Introduction**

### **1.0 – General**

- 1.0.1** These Standard Operating Procedures (SOPs) apply to all employees and recruits and must be read in conjunction with the CBSA Policy on Use of Force and Defensive Equipment, the CBSA Directive on Agency Firearms and Defensive Equipment, the CBSA Directive on Use of Force and Reporting, and the CBSA Standard Operating Procedures on Use of Force and Reporting.

### **1.1 – The Arming Program**

- 1.1.1** Certain officers are authorized by the Customs Act and the Immigration and Refugee Protection Act to make arrests. Consistent with the practices of police and other law enforcement agencies within Canada, the Canada Border Services Agency (CBSA) has instituted an Arming Program to ensure that its enforcement personnel are equipped with the tools, skills and required competencies to enforce program legislation. Essential to the success of the Arming Program is the requirement for officers and managers to safely handle, wear, transport, store and utilize defensive equipment.
- 1.1.2** The purpose of this Standard Operating Procedure (SOP) is to ensure that managers and officers have necessary information for the administration and handling of defensive equipment. This document complements and references the policies, directives and training that is delivered to officers and management.





## ***Part 2: Use of Force Training, Re-certification and Practice***

### **2.0 – General**

- 2.0.1 Officers must maintain skills and certifications as required by the Agency.
- 2.0.2 Officers will be scheduled for periodic skills maintenance and re-certification training in control and defensive tactics (CDT), scenario based training (SBT) and the duty firearm.
- 2.0.3 Officers who have been unsuccessful in a component of a Duty Firearm Course (DFC), Annual Re-certification or Three Year Re-certification and Skills Maintenance will be scheduled to participate in a Skills Enhancement Course.

### **2.1 – Prerequisites**

- 2.1.1 Managers must ensure that officers' prerequisites are current prior to employees being scheduled for re-certification testing or refresher training.

#### **Psychological Testing (MMPI-2, 16PF, Structured Stress Assessment and Clinical Interview)**

- 2.1.2 In order to become certified in the use of firearms, individuals will be permitted two opportunities to be deemed suitable through the psychological assessment process (i.e. MMPI-2, 16PF, structured stress assessment and clinical interview).
- 2.1.3 When an individual is deemed suitable based on the psychological testing, the results remain valid indefinitely. The CBSA has the right to require an officer be re-tested at any time where there are reasonable grounds to suspect that the individual may be a threat to himself/herself or others. The firearms and other defensive equipment will be removed from that officer until an assessment with a suitable result is achieved.
- 2.1.4 When an individual is deemed unsuitable to attend the DFC based on the psychological testing, the results remain valid for a period of two years, following which time the individual may be re-tested in accordance with paragraph 2.1.2 of this SOP.

#### **Documentation - Use of Force Participation Form (CBSA103)**

- 2.1.5 It is the responsibility of local management to ensure that officers attending any use of force training have completed the CBSA103 Use of Force Participation Form, are fully able to participate in training and that any limitations identified on the form are addressed and discussed a minimum of two weeks prior to the officer arriving on site for training. The Pre-Course Information Guide on Atlas provides information on what to expect during use of force training.
- 2.1.6 If medical limitations are identified which could impact the officer's performance or ability to complete the training, local management should contact the respective Training and Learning Manager for guidance and to notify them that an adaptation may be required.



2.1.7 Once a decision has been made, local management will complete the applicable sections on the form and place a signed copy in the officer's training file.

2.1.8 For officers deemed unable to attend nationally coordinated use of force training, local management must notify the National Registrar via email at CBSA-ASFC National Registrar - Registraire national at least two weeks prior to the start of the course and the Registrar will choose an alternate officer to attend.

### **Use of Force Training – Control and Defensive Tactics (CDT)**

2.1.9 To attend CDT training, all participants must possess or have successfully completed the Health Canada Category III Medical Assessment<sup>1</sup> and have been deemed suitable to proceed to the CDT course.

2.1.10 Officers attending CDT must complete and present to local management a CBSA103 Use of Force Participation Form a minimum of two weeks prior to the start of the training. Once received, local management is to review the document, and complete the applicable fields. If the officer has identified any medical conditions or injuries, these should be discussed in order to determine next steps (e.g. medical certificate requested, officer referred to Health Canada, etc.) that must be taken to have the officer deemed ready to attend training in order that all concerns identified on the CBSA103 are addressed prior to the officer arriving on site for training. The completed CBSA103 should remain in the officer's training file at the local office.

### **Use of Force Training - Duty Firearm Course (DFC)**

2.1.11 To attend DFC training, all participants must possess or have successfully completed the following:

- a. Completion of the Canadian Firearms Safety Course and/or the Canadian Restricted Firearms Safety Course;
- b. The MMPI-2 and 16PF tests and the structured stress assessment and clinical interview and have been deemed suitable to proceed to the DFC; and
- c. A valid Health Canada Category III Medical Assessment and have been deemed suitable to proceed to the DFC.

2.1.12 Officers attending a DFC must complete and present to local management a CBSA103 Use of Force Participation Form a minimum of two weeks prior to the start of the training. Once received, local management is to review the document, and complete the applicable fields. If the officer has identified any medical conditions or injuries, these should be discussed in order to determine next steps (e.g. medical certificate requested, officer referred to Health Canada, etc.) that must be taken to have the officer deemed ready to attend training in order that all concerns identified on the CBSA103 are addressed prior to the officer arriving on site for training. The completed CBSA103 should remain in the officer's training file at the local office.

### **Mandatory Firearm Practice**

2.1.13 To attend mandatory firearm practice, participants must have successfully completed a DFC.

<sup>1</sup> On November 30, 2009, the implementation of this initiative commenced with those officers attending the DFC. Medical assessments will be phased in for the remainder of existing employees that require CDT training and/or re-certification.



- 2.1.14** Officers attending mandatory firearm practice must complete and present to local management a CBSA103 Use of Force Participation Form a minimum of two weeks prior to the start of the training. Once received, local management is to review the document, and complete the applicable fields. If the officer has identified any medical conditions or injuries, these should be discussed in order to determine next steps (e.g. medical certificate requested, officer referred to Health Canada, etc.) that must be taken to have the officer deemed ready to attend training in order that all concerns identified on the CBSA103 are addressed prior to the officer arriving on site for training. The completed CBSA103 should remain in the officer's training file at the local office.

### **Off-Duty Firearm Practice**

- 2.1.15** All officers wishing to participate in off duty firearm practice must have current CBSA certification in the use of the duty firearm.

## **2.2 – Skills Maintenance**

- 2.2.1** Skills maintenance includes re-certification sessions, mandatory firearm practice and off-duty firearm practice.

## **2.3 – Re-certification**

### **General**

- 2.3.1** Officers that are CDT certified must maintain CDT skills and successfully re-certify in CDT every three years.
- 2.3.2** Officers that are duty firearm certified are required to re-certify on the duty firearm every twelve months prior to the anniversary date of their last day of their DFC.
- 2.3.3** In addition to the annual firearm re-certification, every third year, a duty firearm certified officer is required to re-certify in SBT.

### **Officers**

- 2.3.4** Advise your manager when you are required to attend CDT or duty firearm re-certification. A BSF390 will be required to store a duty firearm at another location other than an Agency office.
- 2.3.5** Ensure you read, understand and comply with any pre-course requirements, reading materials and joining instructions (e.g. strength training for firearms, standard of dress, dates and times of training, etc.). Atlas has material on arming training and other pre-course information.
- 2.3.6** Complete a CBSA103 Use of Force Participation Form and ensure it is presented to, reviewed and signed off by local management a minimum of two weeks prior to the start of the training.
- 2.3.7** Ensure you inform management and/or training staff, as soon as possible, of the reason why you cannot participate in or attend the training event or practice session.
- 2.3.8** Comply with directions given by a certified instructor during training.

### **CDT Re-certification**

- 2.3.9** Attend CDT training as directed.



## Duty Firearm Re-certification

- 2.3.10 Attend duty firearm re-certification as directed.
- 2.3.11 When attending re-certification, bring your 51 rounds of issued duty ammunition (for use during the session only if the range permits the discharge of this type of ammunition).
- 2.3.12 Follow safe handling procedures at all times.
- 2.3.13 At the end of the training session, clean your duty firearm, perform the function test and load for duty with issued duty ammunition or store/transport the duty firearm as may be required.
- 2.3.14 Prior to returning to duty, ensure you are loaded for duty with 51 rounds of issued duty ammunition.

## Managers

- 2.3.15 Ensure that a local process is in place to notify officers and managers when they are required to attend re-certification sessions.
- 2.3.16 Ensure officers scheduled for training have read, understood and are prepared to comply with any pre-course requirements, reading materials and joining instructions (e.g. strength training for firearms, standard of dress, dates and times of training, etc.). Atlas has material on arming training and other pre-course information.
- 2.3.17 Ensure the officer's prerequisites are current and valid.
- 2.3.18 Ensure that required equipment and authorizations are provided to the officer for transportation and storage (e.g. Agency approved storage container, locking devices and form BSF390).
- 2.3.19 Ensure that a local process is in place to notify appropriate managers when an officer or other reporting manager fails to attend a scheduled training, practice or re-certification session.
- 2.3.20 Ensure that officers attending any use of force training events have completed and presented to local management a CBSA103 Use of Force Participation Form a minimum of two weeks prior to the start of the training. Once received, local management is to review the document, and complete the applicable fields. If the officer has identified any medical conditions or injuries, these should be discussed in order to determine next steps (e.g. medical certificate requested, officer referred to Health Canada, etc.) that must be taken to have the officer deemed ready to attend training in order that all concerns identified on the CBSA103 are addressed prior to the officer arriving on site for training. The completed CBSA103 should remain in the officer's training file at the local office.
- 2.3.21 Investigate the reasons for missed attendance. If the reason for missing the training or re-certification session is justified, ensure the employee is rescheduled for the session.
- 2.3.22 Take appropriate corrective action and then ensure the session is rescheduled if it is confirmed that the officer or manager has inappropriately avoided the training, practice or re-certification session.
- 2.3.23 Initiate a training action plan for the officer in coordination with the regional training coordinator to address an employee's negative result in re-certification.





- 2.3.24 Where an officer has exhausted all attempts to re-certify in CDT, SBT and/or duty firearm, retrieve the defensive equipment from the officer (refer to Part 8 of this SOP, Removal and Return of Agency Firearms and Defensive Equipment).
- 2.3.25 Where an officer has exhausted all attempts to re-certify in CDT, SBT and/or duty firearm, consult with a regional Labour Relations Advisor to explore options.
- 2.3.26 Advise the officer of his or her right to contact an Employee Assistance Program (EAP) coordinator for assistance.
- 2.3.27 Ensure that officers are issued with 51 rounds of duty ammunition after successful annual re-certification of the duty firearm.

## 2.4 – Firearm Practice

### Dry Fire Practice in a CBSA Campus Environment

- 2.4.1 To accommodate a candidate's ability to conduct dry fire exercises when lodging at a location away from a CBSA training facility (e.g. at a hotel, personal residence or elsewhere), an officer may be issued a modified (non-functional) firearm to conduct the exercises<sup>2</sup>. In such instances, form BSF390 Authorization to Transport and Store Firearms at a Place Other Than a CBSA Office is to be completed by the campus manager/supervisor authorizing the transportation and storage of the modified firearm to a location away from the training facility. The officer is to ensure care and control of the modified firearm while performing training related activities away from the training facility, conduct practice exercises in an appropriate area away from other persons, and when not in use ensure the modified firearm is transported and stored in accordance with arming procedures.

### Mandatory Firearm Practice

- 2.4.2 Officers trained and equipped to carry duty firearms are required to annually attend one mandatory live-fire practice session at which they are expected to expend, at a minimum, 150 rounds of practice ammunition. Time at this practice session is paid duty and officers will be provided with practice ammunition for such purposes.

#### Officers

- 2.4.3 Attend mandatory firearm practice as directed.
- 2.4.4 Complete a CBSA103 Use of Force Participation Form and ensure it is presented to, reviewed and signed off by local management.
- 2.4.5 Only ammunition approved for the training event is to be used. Ensure your 51 rounds of issued duty ammunition are not used during practice sessions.
- 2.4.6 Ensure that safe handling procedures are followed at all times.
- 2.4.7 Discuss with your manager if any deficiencies are noted by yourself and/or your trainer. Review possible options that may be available to you.
- 2.4.8 At the end of the practice, clean your duty firearm, perform a function test and load for duty with issued duty ammunition or store/transport the duty firearm as may be required.

<sup>2</sup> In the absence of a modified pistol for dry fire practice, campus management may authorize the use of the duty firearm provided appropriate safety precautions are in place.



- 2.4.9 Return any unused practice ammunition to your manager or issuing office.
- 2.4.10 Prior to returning to duty, ensure you are loaded for duty with 51 rounds of issued duty ammunition.

### Managers

- 2.4.11 Ensure officers are scheduled for their mandatory firearm practice approximately six months following their last certification or re-certification.
- 2.4.12 Ensure that a local process is in place to notify officers and managers when they are required to attend mandatory firearm practice.<sup>3</sup>
- 2.4.13 Ensure officers scheduled for mandatory firearm practice have read, understood and are prepared to comply with any pre-course requirements, reading materials and joining instructions (e.g. strength training for firearms, standard of dress, dates and times of training, etc.).
- 2.4.14 Ensure the officer's prerequisites are current and valid.
- 2.4.15 Ensure that required equipment and authorizations are provided to the officer for transportation and storage (e.g. Agency approved storage container, locking devices and form BSF390).
- 2.4.16 Ensure that a local process is in place to notify appropriate managers when an officer or other reporting manager fails to attend a scheduled mandatory firearm practice session.
- 2.4.17 Ensure that officers attending any use of force training events have completed and presented to local management a CBSA103 Use of Force Participation Form a minimum of two weeks prior to the start of the training. Once received, local management is to review the document, and complete the applicable fields. If the officer has identified any medical conditions or injuries, these should be discussed in order to determine next steps (e.g. medical certificate requested, officer referred to Health Canada, etc.) that must be taken to have the officer deemed ready to attend training in order that all concerns identified on the CBSA103 are addressed prior to the officer arriving on site for training. The completed CBSA103 should remain in the officer's training file at the local office.
- 2.4.18 Investigate the reasons for missed attendance. If the reason for missing the mandatory firearm practice is justified, ensure the employee is rescheduled for the session.
- 2.4.19 Take appropriate corrective action and then ensure the session is rescheduled if it is confirmed that the officer or manager has inappropriately avoided the mandatory firearm practice session.
- 2.4.20 Ensure that officers have reloaded their duty firearm with 51 rounds of duty ammunition after completing their mandatory firearms practice.

### Off-Duty Firearm Practice

- 2.4.21 Officers certified in the use of the duty firearm may be permitted by management to use their issued duty firearm to participate in off-duty firearm practice where the following criteria are met:
  - a. range facility is CBSA-approved;
  - b. CBSA policies and procedures as well as range protocols are respected at all times;

<sup>3</sup> CAS records training requirements and the training coordinator must notify individuals and management when a particular officer requires training, practice or re-certification.





- c. CBSA approved ammunition and targets are used;
- d. CBSA issued protective vest is worn;
- e. eye and ear protection provided/approved by the CBSA is worn;
- f. a brimmed baseball cap is worn; and
- g. a form BSF390 has been issued.

**2.4.22** All officers certified in the use of the duty firearm are entitled to an allotment of 1000 rounds of CBSA approved practice ammunition per calendar year. The distribution of off-duty practice ammunition will be in allotments of 200 rounds per day of practice.

**2.4.23** The completion of a CBSA103 is not required for off-duty practice.

### Officers

**2.4.24** Officers must ensure they are duty firearm certified.

**2.4.25** Officers must ensure they only use CBSA approved ammunition, targets and other required equipment.

**2.4.26** Only approved practice ammunition is to be used. Ensure your 51 rounds of issued duty ammunition are not used during practice sessions.

**2.4.27** Officers must wear the following protective equipment:

- a. CBSA issued protective vest;
- b. CBSA approved eye protection;
- c. CBSA approved ear protection; and
- d. brimmed ball cap.

**2.4.28** Officers are permitted (subject to range rules) to wear their duty belt during off-duty firearm practice.

**2.4.29** Ensure that safe handling procedures are followed at all times.

**2.4.30** Officers must ensure they receive a completed form BSF390 prior to practicing.

**2.4.31** Officers must return any unused practice ammunition and targets.

**2.4.32** After practicing, officers must clean the duty firearm and perform a function test.

**2.4.33** Officers must return the duty firearm to their office after off-duty firearm practice.

### Managers

**2.4.34** Ensure officers are duty firearm certified in order to participate in off-duty practice or in instances where an officer did not successfully complete annual re-certification and therefore requires a Skills Enhancement Course (SEC):

- a. The officer is permitted to possess and wear their duty firearm for off-duty practice provided the officer's certification has not expired and there were no firearm safe issues identified during the re-certification that would prevent the officer from carrying the duty firearm prior to their next SEC, or



- b. If the officer's certification in the use of a duty firearm is invalid, expired or safe handling issues were identified at re-certification, no unaccompanied possession or wearing of the duty firearm for off-duty practice is permitted. In such cases, the uncertified officer may only possess, transport or wear a duty firearm in order to participate in off-duty practice when in the company of a certified armed officer or certified instructor.

- 2.4.35** Ensure officer is not suspended from carrying a duty firearm.
- 2.4.36** Ensure CBSA approved practice ammunition, targets and other required equipment is supplied.
- 2.4.37** Complete form BSF390 for the officer or in instances that meet the criteria listed in 2.4.32(b), comments must be added within the form to indicate this process.
- 2.4.38** Ensure officers return any unused practice ammunition and targets.
- 2.4.39** Ensure officers return the duty firearm to their office within a reasonably fair, practical and responsible timeframe following their off-duty practice.
- 2.4.40** Ensure that all practice ammunition issued and consumed is recorded in the Corporate Administrative System (CAS).
- 2.4.41** Ensure CAS is updated with the number of practice rounds fired per duty firearm for pistol maintenance purposes.



## ***Part 3: Administrative Duties***

### ***3.0 – Issuing Defensive Equipment***

#### **Officers**

- 3.0.1** Ensure all of the defensive equipment and ammunition that you are issued is always accounted for.
- 3.0.2** Record serial numbers and date of issue in your notebook.
- 3.0.3** Complete a function test upon receiving a newly issued or spare duty firearm.

#### **Managers**

#### **Duty Firearms**

- 3.0.4** After receiving certification on a DFC, officers must be issued their firearms upon return to work in an armed position.
- 3.0.5** Retrieve the shipped duty firearm from authorized receiving personnel.
- 3.0.6** Verify the presence of magazines and a firearm locking device.
- 3.0.7** Ensure that the officer receives the same duty firearm that was issued to him or her on the successful completion of his or her training by verifying the serial number and grip size of the firearm against the data on the Corporate Administrative System (CAS) record.
- 3.0.8** Provide the officer with an Agency approved locking storage box or locker and locking devices for the box or locker.
- 3.0.9** Provide instructions on site-specific storage and safe handling procedures to officers.
- 3.0.10** Ensure that the duty firearm is secured in the lock box or in the officer's holster.
- 3.0.11** Have the officer sign for receipt of the duty firearm on an E689 Equipment Issuance and Removal Document.
- 3.0.12** Return the signed receipt to authorized personnel for processing once completed.
- 3.0.13** Provide the officer with 51 rounds of duty ammunition and have the officer sign a receipt.
- 3.0.14** Should an officer in possession of a duty firearm be transferred to your office, you must ensure that CAS is updated and that the officer receives instructions regarding safe handling and storage of firearms specific to your work location.



## **Handcuffs, Defensive Baton and Oleoresin Capsicum (OC) Spray**

- 3.0.15** Ensure approval for local purchase of handcuffs, defensive batons and OC spray has been obtained from the Use of Force Instructor Recruitment and Development Unit, Arming Division.
- 3.0.16** Issue this equipment and document with an E689 Equipment Issuance and Removal Document.
- 3.0.17** Verify that the disposition of the defensive equipment is updated in CAS. Confirm expiry date of OC spray is valid and record CAS.

## **3.1 – Maintenance**

### **Officers**

- 3.1.1** Maintain your issued protective and defensive equipment in a clean and fully working condition at all times. This will be done in an area designated by management and outside of public view.
- 3.1.2** Upon request by management, present your defensive equipment for inspection.
- 3.1.3** Record time and date of all maintenance to equipment in your notebook.

### **Duty Firearm**

- 3.1.4** After use and as part of regular maintenance you must clean, lubricate and perform a function test of the duty firearm in accordance with manufacturer specifications and your training. Do not remove any components that have not been part of your approved training. Always ensure the firearm is unloaded and proven safe in the proving area/container before performing any maintenance.
- 3.1.5** Inform your supervisor/manager when you are notified that scheduled maintenance of your duty firearm is required.
- 3.1.6** Inform your supervisor/manager when a stoppage or a malfunction occurs with your duty firearm that you cannot correct or have not been trained for and request a replacement duty firearm. Ensure that all ammunition is removed from your duty firearm. If a stoppage or malfunction occurs that results in a live round remaining in the duty firearm that cannot be safely removed you must ensure that the armourer is notified of the situation and follow any direction recommended by the armourer prior to shipping.
- 3.1.7** When a duty firearm has been damaged, provide a report detailing the incident to your supervisor.

### **Oleoresin Capsicum (OC) Spray**

- 3.1.8** Verify expiry date and request replacement of OC spray prior to expiry.
- 3.1.9** Inspect the nozzle daily to ensure it is free from debris.
- 3.1.10** Test once every 30 days to ensure canister function by spraying a ¼ second burst in an area designated or appropriate (e.g. outside, downwind and out of the view of the public).
- 3.1.11** Weigh the canister regularly. Replace when canister (Sabre Defense) is less than 50 grams.



## **Defensive Baton**

- 3.1.12** If the baton is exposed to moisture, open it and dry it with a non-abrasive cloth.
- 3.1.13** Check the threaded butt cap to ensure it is tight.
- 3.1.14** Check the blades for hairline fractures or excessive wear.
- 3.1.15** Check the tip for looseness. If the tip is loose an approved fixative (such as Loctite) can be applied to the threads to secure it in place.
- 3.1.16** Ensure the retaining spring contained in the butt cap is adjusted for proper resistance for opening. The spring can be spread for greater resistance or pushed together for less resistance.
- 3.1.17** Extend/close the baton occasionally to test the function (out of the view of the public).

## **Handcuffs**

- 3.1.18** Keep handcuffs in the supplied pouch to prevent exposure to environmental factors (e.g. dust, condensation, rain, etc.).
- 3.1.19** Remove handcuffs from pouch and cycle the single bar to ensure smooth operation at start of shift.
- 3.1.20** Rust can be prevented with the application of a small amount of oil appropriate for this purpose.

## **Protective Vest**

- 3.1.21** Protective vests must be stored in a dry and dust-free area. They should be laid flat to retain integrity and prevent curling.
- 3.1.22** Clean by removing ballistic panels from the carrier and sponging with warm water and mild detergent. The protective vest should be cleaned 10 times per year. Follow the directions on the cover. The carrier may be washed in the washing machine.
- 3.1.23** Ensure that the protective vest is dry before wearing it.
- 3.1.24** Ballistic capability may be reduced or lost when wet, but protection returns when it dries out.
- 3.1.25** Ensure that the protective vest is replaced if it is fired on or damaged.
- 3.1.26** Ballistic panels should not be exposed to ultraviolet rays. Do not dry your ballistic panels in the sun.

## **Managers**

### **Duty Firearms**

- 3.1.27** Each duty firearm is inspected and test fired by the RCMP Armoury when received from the manufacturer/supplier. All firearms undergo regular maintenance as outlined at the RCMP Armoury where they are again fully inspected and tested in accordance with manufacturer specifications/schedule and the RCMP Armoury protocols prior to being returned to service.
- 3.1.28** When a duty firearm has been damaged, ensure the officer responsible provide a written report detailing the incident.



**3.1.29** Review the report and take appropriate action in accordance with the circumstances reported.

**3.1.30** If a malfunction occurs that cannot be remedied according to training or the duty firearm is damaged; return the duty firearm to the armourer in accordance with Part 6.3, Shipping Firearms (note: duty firearms being sent to the armourer must be secured using the issued Beretta cable lock).

**3.1.31** If applicable, upon return of the assigned firearm, the temporary replacement firearm should be shipped to the armourer with a note included indicating that it requires maintenance. Upon completion of any required maintenance, the armourer is to ship the firearm to the National Warehouse for storage; the firearm will be returned to stock and available for future use.

**3.1.32** Officers may only perform maintenance on a duty firearm, including the removal of any component, in accordance with Agency training.

## **3.2 – Inspecting Duty Firearms**

### **Managers**

**3.2.1** Managers are to ensure that all duty firearms issued to officers are inspected annually and the results shall be documented on the *Manager's Duty Firearm Inspection Checklist* (refer to the Appendix D).

**3.2.2** Use the designated safe area within the operational facility where duties such as inspection or cleaning of the duty firearm are performed.

**3.2.3** Request that the officer PROVE his or her duty firearm safe.

**3.2.4** Ensure that the officer's duty firearm was loaded with 1 round of duty ammunition in the chamber and 16 duty rounds in the magazine.

**3.2.5** Verify that the officer carries two additional magazines in the issued pouch and inspect these to ensure they are both loaded to capacity with 17 rounds of duty ammunition.

**3.2.6** Verify that the officer's duty firearm is stored and locked in accordance with Part 5: Storage of Agency Firearms and Defensive Equipment.

**3.2.7** Inspect the duty firearm for cleanliness and have the officer perform a function test to demonstrate basic operability (refer to the Appendix A). The duty firearm, including the interior of the chamber and barrel, should be free of dust, grit, excess oil or any other material that might adversely affect the safe operation of the firearm. The moving parts (slide, trigger, magazine release) of the duty firearm should all operate freely without the need to force them:

- a. If the duty firearm meets the cleanliness and operational requirements, it can be returned to the officer who should immediately re-load and holster the duty firearm; or
- b. If the duty firearm is not clean, instruct the officer to immediately clean the duty firearm and then arrange to re-inspect it; or
- c. If the duty firearm fails to meet any of the operability requirements, retrieve the duty firearm from the officer and have it returned to the Armourer for repair. Issue a spare replacement firearm as per the SOPs outlined in Part 3.3, Replacing Defensive Equipment and update the disposition of both the retrieved and replacement duty firearm in CAS.

**3.2.8** Verify that the serial number (located on the frame) matches the serial number recorded in CAS.





### 3.3 – Replacing Defensive Equipment

#### Managers

##### Duty Firearm (Spare)

- 3.3.1 Depending on the location and the ability to store duty firearms, each office will have one spare firearm for every ten armed employees. Consider obtaining both left and right handed spares if applicable.
- 3.3.2 Spare firearms should be used as temporary replacement of the duty firearm. If a longer-term replacement is required that may deplete your local supply, the replacement firearm must be ordered from the National Warehouse. Regional management may request that a spare or replacement firearm be assigned to an officer permanently. Requests should be placed via email to CBSA-ASFC Arming documents Armement.
- 3.3.3 Issue a spare firearm to an officer where required (e.g. a breakage of the duty firearm occurs) and ensure CAS is updated to reflect this firearm as issued to the officer.
- 3.3.4 Record the issuance of the spare duty firearm with an *E689 Equipment Issuance and Removal Document* and provide the officer with a copy.<sup>4</sup>
- 3.3.5 If the replacement is not urgent (e.g. scheduled maintenance), request a replacement firearm from the National Warehouse specifying the hand (left/right).
- 3.3.6 If applicable, when the duty firearm is returned from the National Warehouse or armourer, return it to the officer and ensure the officer returns the temporary replacement firearm.
- 3.3.7 Verify that the grip size is the same as, or changed to, the size (may include hogue grip) that the officer qualified with during firearms training (available in CAS).
- 3.3.8 Ensure that the disposition of the replacement firearm is recorded in CAS and the reason why it was issued is recorded on the E689.

##### Handcuffs, Defensive Baton and Oleoresin Capsicum (OC) Spray

- 3.3.9 Replace any other defensive equipment as necessary and record in CAS.
- 3.3.10 Issue this equipment and document with an E689 Equipment Issuance and Removal Document.
- 3.3.11 OC Spray should be replaced before expiry date or if weight of canister (Sabre Defense) is less than 50g.
- 3.3.12 Approval for the local purchase of use of force equipment must be obtained from the Arming Asset Management and Implementation Unit, Arming Division, Training and Development Directorate.

### 3.4 – Lost or Stolen Defensive Equipment

#### Officers

- 3.4.1 Immediately notify management when a duty firearm, magazines, ammunition or other defensive or related equipment has been lost or stolen.
- 3.4.2 Provide a BSF152 Security Incident Report detailing the loss or theft. Take appropriate action in accordance with the circumstances reported (Security Manual).

<sup>4</sup> Use form E689 to document issuance and return of Agency firearms and/or defensive equipment.



## **Managers**

- 3.4.3** Notify senior management and the local security officer when a duty firearm, ammunition or other defensive or related equipment has been lost or stolen.
- 3.4.4** Notify the police of jurisdiction when the lost or stolen item is a duty firearm, magazine, ammunition or OC spray.
- 3.4.5** The Arming Division is to be notified of any lost or stolen firearms, magazines, ammunition or OC spray. Notification can be sent by email to: CBSA-ASFC, RC-CR Arming Division/Division de l'armement.
- 3.4.6** Ensure that a BSF152 Security Incident Report is completed.
- 3.4.7** Have the officer to whom the duty firearm was issued provide a report detailing the loss or theft. Take appropriate action in accordance with the circumstances reported.
- 3.4.8** Ensure the disposition of the lost or stolen firearm, ammunition or defensive equipment is updated accordingly in the Corporate Administrative System (CAS).

## **3.5 – Acquisition of Agency Firearms**

### **Managers**

- 3.5.1** A Public Agency Identification Number (PAIN) must be used to acquire Agency firearms. Use of the PAIN is tightly controlled and must be authorized by the Vice-President, Human Resources Branch or delegate.
- 3.5.2** Before acquiring Agency firearms, ensure that authorization to purchase or otherwise acquire the firearms is received from senior management (Director General or Regional Director General) and that this authorization is approved by the Vice President, Human Resources Branch.
- 3.5.3** To obtain authorization and approval, complete a letter of *Approval for the Purchase, Transfer or Acquisition of Firearms by the Canada Border Services Agency (CBSA) for Use as Agency Firearms* (Appendix C - Sample Letter for Acquisition of Agency Firearms).
- 3.5.4** Include the following details in the letter:
  - a. Make, model and number of firearms to be acquired; and
  - b. Reason for the acquisition of the firearm(s) and the intended use.
- 3.5.5** Ensure that the Regional Director General or the Director General of the Branch responsible for the program acquiring the firearms signs the letter authorizing the purchase or acquisition.
- 3.5.6** Forward the signed letter to the Vice President, Human Resources Branch and ensure that the approval of the Vice President is received.
- 3.5.7** Attach a copy of the signed and approved letter to the purchase order or transfer agreement made for the firearm(s).
- 3.5.8** Ensure that a copy of the invoice or transfer document received for the firearm, along with a copy of the letter of authorization is forwarded to:
  - a. Regional Security;
  - b. Regional program responsible for asset management; and
  - c. Human Resources Branch, Arming Division.



- 3.5.9** Human Resources Branch, Arming Division will report Agency firearms to the Registrar of Firearms in accordance with the provisions of the Firearms Act and the Public Agents Firearms Regulations.
- 3.5.10** Any program area maintaining an inventory of firearms will provide a list of these firearms by email to the Arming Division (CBSA-ASFC Arming documents Armement) on January 1<sup>st</sup> of each year containing the following details pertaining to the firearm(s):
- a. Serial number;
  - b. Make;
  - c. Manufacturer (if different from Make);
  - d. Model number;
  - e. Type;
  - f. Action;
  - g. Calibre or gauge;
  - h. Barrel length if it is shorter than 470 mm; and
  - i. Quantity of ammunition that the magazine can contain.
- 3.5.11** After Vice-President, Human Resources Branch approval, ensure that the above-noted details are provided immediately to the Arming Division upon acquisition of any new firearm(s) to regional or program inventory.
- 3.5.12** Requests for the acquisition of duty firearms should be sent to the Director, Arming Division, Human Resources Branch.

### **3.6 – Disposal of Agency Firearms**

#### **Managers**

- 3.6.1** Before any Agency firearm is disposed of, it must be offered to the Chief Firearms Officer of the province in which the firearm is stored or to the RCMP Commissioner for destruction or for any scientific, research or educational purpose, or for preservation as a historical firearm.
- 3.6.2** Disposal, other than by transfer to the provincial Chief Firearms Officer or the RCMP, must be by destruction of the firearm and witnessed by an employee.
- 3.6.3** Destruction must be in accordance with the Firearms Act.
- 3.6.4** Ensure that the disposal of any Agency firearm (other than duty firearms) is reported to:
- a. Regional Security;
  - b. Regional program responsible for asset management; and
  - c. Human Resources Branch, Arming Division.
- 3.6.5** The disposal of duty firearms is to be reported to:
- a. Regional Security; and
  - b. Human Resources Branch, Arming Division.



### **3.7 – Ammunition**

#### **Officers**

- 3.7.1** Only Agency approved ammunition is permitted to be used in an Agency firearm. The use of reloaded or modified ammunition is strictly prohibited.
- 3.7.2** Inspect ammunition for signs of damage prior to loading it into the magazine. If any ammunition is suspected to be faulty, report it to your supervisor, return the ammunition and request replacement ammunition.
- 3.7.3** Duty ammunition will be issued for use while on duty. Annually, duty ammunition shall be expended during training events (normally this will occur during the annual re-certification session), provided a certified instructor is present and the shooting range has approved the use of this type of ammunition. Duty ammunition is not permitted for use during off-duty practice or any other unsupervised training events (i.e. when there are no certified instructors present).
- 3.7.4** Approved ammunition is to be used during the duty firearm course, for mandatory or off-duty practice and for qualifications during recertification.

#### **Managers**

- 3.7.5** Ensure that Agency approved ammunition is used in an Agency firearm. The use of reloaded or modified ammunition is strictly prohibited.
- 3.7.6** Ensure that only duty ammunition is issued for duty purposes.
- 3.7.7** Duty ammunition is not to be used during off-duty practice or any other unsupervised training events (i.e. when there are no certified instructors present).
- 3.7.8** Only practice ammunition is to be used during off-duty practice or any other unsupervised training events (i.e. when there are no certified instructors present).
- 3.7.9** If approval is received from the Arming Division, management may permit the use of specialized commercially manufactured practice ammunition to meet specific range requirements (e.g. frangible).
- 3.7.10** Ensure that ammunition inventory is periodically verified. This should occur at least quarterly. Unexplained discrepancies shall be reported to Regional Security.
- 3.7.11** An E657 Transfer of Ammunition Receipt for Vendor must be completed and provided to the vendor for any local acquisition of ammunition. Authorization for the purchase of ammunition shall be made at the Chief of Operations/Director level.
- 3.7.12** If faulty ammunition is suspected, collect all remaining ammunition of that lot number (may have been issued to several officers) and provide written notification to CBSA-ASFC Arming documents Armement.



## **Part 4: Handling of Firearms**

### **4.0 – General**

**4.0.1** Maintain the principles of firearms safety at all times.

- a. Assume every firearm is loaded;
- b. Control the muzzle direction at all times;
- c. Trigger finger must be kept off the trigger and out of the trigger guard; and
- d. See that the firearm is unloaded.

**4.0.2** Inform your immediate supervisor/manager if you have knowledge of, or reason to suspect that, an officer or employee has handled or may handle a firearm in an unsafe, unprofessional, irresponsible or unlawful manner.

### **4.1 – Clearing Devices**

#### **Officers**

**4.1.1** Load, unload and prove safe firearms in an area designated for such purposes and use a clearing device or ballistic panel.

**4.1.2** A safety check must be performed when the condition of a duty firearm is unknown, when first received/handled, before dry firing and before cleaning. To complete a safety check of a duty firearm:

- a. Point the pistol in a safe direction. Point it down range or at the floor (when no safe area available).
- b. Release and remove the magazine from the pistol. Push the magazine release button with the thumb of your pistol hand or the index finger of your support hand. Allow the magazine to fall on the floor. You may have to assist by pulling it.
- c. Pull the slide to the rear (locked open) using the over hand grip method.
- d. Visually and physically check the pistol. When slide is locked open:
  - i. Visually look for a cartridge in the chamber area.
  - ii. Physically check, using your little finger, to ensure there is no cartridge in the chamber area.

**4.1.3** Where a clearing device or ballistic panel is not available, firearms must be unloaded and proven safe in accordance with your training on firearms safety.

#### **Managers**

**4.1.4** Ensure that Agency approved clearing devices are available at all Agency offices where firearms are handled or stored.

**4.1.5** Ensure that clearing devices are used in accordance with training received.

**4.1.6** Ensure that instructions specific to the clearing device in place are available to employees.



## **Part 5: Storage of Agency Firearms and Defensive Equipment**

### **5.0 – General**

- 5.0.1** When not in use, store all firearms with an Agency approved locking device that prevents the operation of the firearm.
- 5.0.2** In accordance with Public Agents Firearms Regulations, ensure that Agency firearms are safe and securely stored:
  - a. with a locking device; and
  - b. in a metal storage container issued by the Agency; or
  - c. in an assigned storage compartment of a firearms storage locker at an Agency office.
- 5.0.3** Store the magazines and ammunition only in an Agency issued metal storage container or in storage compartment of a firearms storage locker assigned to you.
- 5.0.4** Store OC spray and baton in an approved container, locker, vault, safe or room, controlled by a public service Agency, that is kept securely locked and is constructed so that it cannot readily be broken open or into.

#### **Managers**

- 5.0.5** Ensure that there are sufficient quantities of Agency approved locking devices available at all Agency officers where firearms are handled or stored to meet the needs of that office for the number of firearms that are likely to be encountered.
- 5.0.6** Ensure that all locking devices, when in use, are properly fastened and keep the keys or combinations to the locking devices separate from the firearm and not accessible to others.

### **5.1 – Storage at a Location Other Than an Agency Office**

- 5.1.1** When storage of an Agency firearm is requires at a location other than an agency office, officers must obtain and possess a completed form BSF390. This document demonstrates that the officer is authorized by CBSA to possess, transport and store his or her duty firearm at a place other than at an office of the CBSA. The form also confirms his or her employment and duties as a public officer of the CBSA.

#### **Officers**

- 5.1.2** All Agency firearms are to be stored at an Agency office unless written authorization (BSF 390) from your supervisor is obtained prior to being stored at another location.
- 5.1.3** Retain a copy of the completed BSF390 and keep it with the Agency firearm when storing it.





- 5.1.4 Ensure that the Agency firearm is properly stored in accordance with training (note: a plastic shipping container shall not be used to store an Agency firearm).
- 5.1.5 Ensure that the Agency issued metal storage container is secured to an object or fixture that is not readily moved.
- 5.1.6 Ensure that the keys or combinations to locking devices are separate from the firearm and not accessible to others.  
**Note:** duty firearms must be secured using the issued Beretta cable lock.

### **Managers**

- 5.1.7 Ensure that written authorization (BSF390) is provided to an officer to store an Agency firearm at a location other than an Agency office.
- 5.1.8 Permit officers to temporarily store their Agency firearm at a location other than an Agency office when:
  - a. Officers are required to travel from their home or place of residence to a work location other than their office or port of entry and the manager of that office or port of entry has deemed it to be impractical or inexpedient to return to the office or port of entry to retrieve an Agency firearm; or
  - b. Officers travel on their own time from their home or place of residence to an approved location where they may carry out firearms practice and the manager of that office or port of entry has deemed it to be impractical or inexpedient to travel to the office or port of entry to retrieve or store that officer's Agency firearm before or after the firearms practice session.
- 5.1.9 Ensure that the address of the primary dwelling location where the Agency firearm will be stored is indicated on the BSF390 and include any conditions applicable to the situation.
- 5.1.10 Disseminate copies of form BSF390 as follows:
  - a. Officer (to remain with the Agency firearm);
  - b. Office Copy; and
  - c. Regional Security.

## **5.2 – Storage of Removed Firearms**

### **Managers**

- 5.2.1 **Stored for 30 days or less** - Determine if the Agency firearm should be stored on site or at the local/regional storage facility.
- 5.2.2 **Stored for more than 30 days** - Determine if the Agency firearm can be stored on site or shipped to the National Warehouse.



## ***Part 6: Transporting and Shipping Agency Firearms and Defensive Equipment***

### **6.0 – General**

- 6.0.1** In certain circumstances, defensive equipment may be transported offsite (e.g. to other work locations, firearm training events, off-duty practice, residence, etc.) on approval from management.
- 6.0.2** The transportation of defensive equipment may be by hand or by shipping.
- 6.0.3** When firearms are transported by hand the transportation must be authorized (BSF390) and in accordance with Storage, Display, Transportation and Handling of Firearms by Individuals Regulations; or be worn in accordance with the policies, directives and standard operating procedures.
- 6.0.4** Agency vehicles used by officers transporting Agency firearms shall be equipped with plates allowing for a secure or "hard mount" of a storage container in the vehicle. Exceptions may be granted at the discretion of management.
- 6.0.5** All employees handling firearms must have successfully completed firearms safety training (i.e. Canadian Firearms Safety Course and Canadian Restricted Firearms Safety Course).

### **6.1 – Transporting Agency Firearms**

#### **Officers**

- 6.1.1** Employees who are not authorized to wear a duty firearm must have a completed form BSF390 to transport Agency firearms.
- 6.1.2** Agency Firearms used for training must be transported unloaded and locked in a secure storage container at all times.
- 6.1.3** Obtain written authorization (BSF390) from your supervisor/manager to possess and transport firearms.
- 6.1.4** When transporting an Agency firearm in a locked secure storage container, ensure that it is out of public view while in the vehicle. When possible, the hard mount must be used. The vehicle must also be locked when unattended.



## **Managers**

- 6.1.5** Review circumstances in which employees are required to transport firearms in order to ensure that it is necessary.
- 6.1.6** Ensure that employees who are not authorized to wear a duty firearm have obtained written authorization (BSF390) to transport firearms. This includes both Agency and protected firearms (e.g. seized or forfeited firearms).
- 6.1.7** Retain a copy of the BSF390 on file for six (6) years + current year after the last time it was used for an administrative purpose.

## **6.2 – Officers Transporting Agency Firearms by Commercial Aircraft**

### **Officers**

- 6.2.1** In exceptional circumstances Agency firearms and ammunition may be transported by commercial aircraft with prior management approval and must comply with Transport Canada Regulations and the airline's policy with respect to the transportation of these items.
- 6.2.2** Ensure that the firearm is safe and securely stored in a storage container issued by the Agency. Ammunition must be kept in a separate container from the firearm.
- 6.2.3** Complete the airline's firearm and/or ammunition declaration forms as required.

## **6.3 – Shipping Agency Firearms**

### **Officers**

- 6.3.1** Advise management of the requirement to ship a firearm.
- 6.3.2** Use the black plastic shipping container issued by the Agency to ship a firearm. Do not use metal storage container issued by the Agency or the blue plastic Beretta box.
- 6.3.3** Ensure that the firearm is unloaded, rendered inoperable by means of a secure locking device or the removal of the bolt or bolt carrier (bolts or bolt carriers are to be shipped separately) and placed inside a plastic shipping container (note: duty firearms must be secured using the issued Beretta cable lock). Lock the container with an approved locking device (padlock) and then further secured with an individually numbered secure seal (currently the Agency uses the TENAQUIP PE172 Strap Seal) through the manufactured hole in the case.
- 6.3.4** If the firearm cannot be unloaded due to a malfunction, advise your supervisor.
- 6.3.5** Include the magazines for the firearm.
- 6.3.6** Do not include ammunition.
- 6.3.7** Submit packaged firearm to your supervisor/manager for shipping.



## Managers

- 6.3.8** Verify the reason why the firearm is being shipped.
- 6.3.9** If the firearm cannot be unloaded due to a malfunction, contact the Armourer Section for shipping instructions.
- 6.3.10** Authorize the shipment of the firearm from the office to its final destination.
- 6.3.11** Ensure that the firearm has been prepared for shipping and is in approved case used for shipping firearms.
- 6.3.12** Ensure that the shipping container is locked with a locking device (padlock) and further secured with an individually numbered secure seal (currently the Agency uses the TENAQUIP PE172 Strap Seal) through the manufactured hole in the case.
- 6.3.13** Firearms should be shipped with magazines but not with ammunition.
- 6.3.14** Prepare the shipping document(s). The PE172 Strap Seal must be included on the Stock Transfer Order (STO) when the regions are shipping between one another, to the RCMP Armoury and when returning a duty firearm to the National Warehouse.

If shipping to the National Warehouse, send the duty firearm to the following address:

201 Innes Park Way  
 Unit 210  
 Ottawa, ON K1A 0R2

If shipping to the RCMP Armoury, use the following address:

Royal Canadian Mounted Police  
 Building 408  
 1426 St. Joseph Boulevard  
 Ottawa, ON K1A 0R2

- 6.3.15** Ensure that all shipping of firearms is tracked in CAS (i.e. this is to include updating the disposition of the firearm and inputting the strap seal number) and that all documentation (e.g. copies of shipping receipt) is completed and kept on file for six years + current year after the last time the document was used for an administrative purpose.
- 6.3.16** Only ship firearms using the List of Licenced Carriers approved by the Canada Firearms Program.



## ***Part 7: Wearing of Protective and Defensive Equipment***

### **7.0 – General**

#### **Officers**

- 7.0.1** Officers must wear the protective and defensive equipment issued to them when they are on duty and working at an Agency office or other place in Canada while engaged in the administration of program legislation and there is the requirement to enforce that legislation.
- 7.0.2** Officers who are performing administrative duties (e.g. completing reports, preparing information for search warrants, etc.) in an office environment, where public access is restricted and there is no expectation to enforce program legislation may, with management approval, remove their defensive equipment. Defensive equipment removed shall be properly stored.
- 7.0.3** Protective equipment may be worn without defensive equipment but defensive equipment may not, under any circumstance, be worn without protective equipment.
- 7.0.4** Officers who have been issued protective and defensive equipment must wear their equipment in accordance with Agency policies, directives and standard operating procedures including the Uniform Policy and Standards of Appearance and the Code of Conduct.
- 7.0.5** Equipment will be worn on the duty belt as per the instructions provided in training and this SOP.
- 7.0.6** Officers must inspect their duty belt, protective vest and other equipment to ensure that they are free from damage. Request replacement equipment if it is damaged or severely worn.
- 7.0.7** Officers must inform their immediate supervisor/manager when they have knowledge of or reason to suspect a condition exists that may affect a co-worker's, a supervisor's or their own capacity or ability to possess, wear or use defensive equipment.
- 7.0.8** Officers may be asked to perform examination duties where the wearing of protective and defensive equipment interferes with the performance of that duty (e.g. confined space entries, in-depth examinations of commercial conveyances or trailers). In other instances, officers may be assigned to duties where the equipment could endanger their safety (e.g. covert surveillance activities). In these cases, officers may be permitted to remove protective and defensive equipment. Prior to the removal of equipment, officers must conduct a risk assessment to ensure that their safety and the safety of others are not compromised by the removal of the equipment. In cases where equipment is being removed for officer safety reasons, management approval must be obtained. If the removal of equipment is justified, officers must ensure that the protective and defensive equipment is safely secured or placed in the custody of another officer.
- 7.0.9** Nothing in these standard operating procedures shall be construed as permitting or mandating the wearing of defensive equipment outside the territorial limits of Canada. Exceptions may be approved by management where officers are in compliance with the laws of foreign jurisdiction with respect to the wearing of defensive equipment.



**7.0.10** Officers required to enter or transit the United States or other foreign territory will ensure that, prior to entrance or transit through the foreign territory, the U.S. or other foreign authorities are advised that they are wearing or in possession of defensive equipment and confirm they are in compliance with the laws of foreign jurisdiction with respect to the wearing of defensive equipment.

**7.0.11** Officers are not permitted to wear defensive equipment while:

- a. Working within or attending to the Canadian Inspection Services area of an airport passenger terminal or while working within or attending a postal center (applies to the duty firearm only). Officers from an armed mode who are required to rotate into an air passenger terminal or into a postal center for part of their shift, generally not exceeding four hours, may be granted an exception at the discretion of management;
- b. Travelling on aircraft (does not apply to handcuffs and other restraining devices);
- c. Attending to personal business for which there are leave provisions (i.e. appointments for medical or dental reasons, Health Canada Category III Medical Assessments, as well as other such events/activities);
- d. Working within or attending to a place or facility where the wearing of defensive equipment (particularly firearms) is not permitted by law or by the policy of the office responsible for that place or facility (e.g. a jail or detention facility or a courthouse that restricts entry of law enforcement officials with firearms and/or other defensive equipment);
- e. Attending training except where the training itself involves use of the duty firearm (e.g. firearms practice, re-certification, training assistance);
- f. Participating in any internal mediation process (refer to the ICMS Policy and Program Framework);
- g. Performing any duty or assignment outside a port of entry or CBSA office that does not unequivocally involve the administration or enforcement of CBSA program legislation or an expectation to administer or enforce CBSA program legislation (e.g. giving a lecture or a demonstration at a trade show or school, recruitment related activities); or
- h. Participating in civilian or law enforcement shooting competitions (e.g. World Police and Fire Games, etc.).

**7.0.12** Officers may be permitted to wear defensive equipment while they are not directly engaged in the administration or enforcement of program legislation when:

- a. Leaving an Agency facility for a short period (e.g. meal or rest break) and it is deemed by the officer's supervisor or manager not to be practicable to remove and store defensive equipment; or
- b. Working outside of an Agency office and stopping for rest or meal breaks.

**7.0.13** Employees (officers and instructors) and recruits engaged in training in the use of firearms and other defensive equipment may wear defensive equipment for purposes related to the training but when not actively involved in the training must follow the rules of the campus or training facility concerning the wearing, transportation, storage or handling of defensive equipment. Nothing in the foregoing statement shall be construed as permitting or mandating the wearing of defensive equipment outside the physical territory of the campus or training facility, except for authorized practice or recertification. Any request for authorized exemption shall be made in writing to the Director, Arming Division.

#### **Managers**

**7.0.14** Management has the right to require or order the removal of defensive equipment at any time and officers are required to comply with any such direction.





## **7.1 – Priority List of Equipment for the Duty Belt**

**7.1.1** The number and type of equipment to be worn on the duty belt are established in the equipment priority lists found at sections 7.1.2, 7.1.3, and 7.1.4 below.

**7.1.2** Required equipment — equipment that must be carried on the belt as per the training and certifications of the officer:

- a. One duty firearm, fully loaded, in holster (the holster shall not be worn empty<sup>5</sup>);
- b. Two full ammunition magazines in pouches;
- c. One extendable baton in scabbard;
- d. One OC spray in pouch;
- e. One pair of handcuffs in pouch;
- f. One handcuff key on clip or in case; and
- g. One communications device (cell phone or radio) in case or on clip (if issued by the Agency).

**7.1.3** Optional equipment — equipment that may be carried on the belt provided it does not interfere with access to required equipment. If space is an issue, optional equipment must be carried in a pocket. While optional equipment is not necessarily supplied by the Agency, it is permitted:

- a. One compact flashlight;
- b. One folding knife or multi-purpose tool;
- c. Keys to areas, vehicles or equipment occupied by or belonging to the Agency; and/or
- d. Compact mouth-to-mouth resuscitation kit, including mouth guard and latex gloves.

**7.1.4** Other equipment — equipment approved by management that does not interfere with access to required equipment and that may be required to perform special tasks:

- a. One handcuff key on clip or in case;
- b. One communications device (cell phone or radio) in case or on clip (if issued by the Agency);
- c. Transportation handcuffs;
- d. Second pair of handcuffs in pouch, when there is an identified need by management;
- e. Date stamp;
- f. Additional health and safety related equipment (e.g. H2S monitor, redeye unit, etc.) and/or
- g. Large flashlight.

**7.1.5** Management, in consultation with a certified instructor, will make the final approval regarding the addition or placement of equipment listed in sections 7.1.3 and 7.1.4.

<sup>5</sup> For situations where armed officers are required to perform non-armed duties (e.g. primary and secondary in an airport passenger terminal) a second duty belt including one baton scabbard, one OC spray pouch, and one handcuff pouch will be issued upon request. The second duty belt will not contain a holster nor a magazine pouch.



## ***Part 8: Removal and Return of Agency Firearms and Defensive Equipment***

### ***8.0 – General***

**8.0.1** Agency firearms and defensive equipment are the property of the Agency.

### ***8.1 – Removing Agency Firearms and Defensive Equipment: Administrative Reasons***

#### **Managers**

**8.1.1** Ensure that firearm(s) and/or other defensive equipment are removed from an officer, employee or recruit when any of the following administrative reasons exist:

- a. the firearm or defensive equipment is replaced by the Agency;
- b. the officer ceases to be an employee of the Agency;
- c. the officer is deployed to a position in the Agency that does not require the carrying and use of a firearm or defensive equipment; or
- d. the officer fails to maintain his or her proficiency in the use of force/control and defensive tactics (CDT) or in the use of duty firearms by the expiry date of his/her certification (refer to paragraph 8.1.2).

**8.1.2** When an officer fails to maintain their proficiency, remove defensive equipment in the following circumstances:

- a. In the case that the officer fails to re-certify on the duty firearm during an annual re-certification by the expiry date, the duty firearm will be removed. The officer remains certified in other defensive equipment (OC, baton) and it should not be removed;
- b. In the case of a triennial re-certification, the officer fails to re-certify on the duty firearm by the expiry date, the firearm will be removed; or
- c. In the case of a triennial re-certification, the officer fails to re-certify in CDT or SBT by the expiry date, all defensive equipment will be removed.

**8.1.3** Secure defensive equipment being removed in a lockable cabinet or area designed for that purpose (e.g. designated Firearm Storage Room).

**8.1.4** Ensure that the firearm is proved safe, made inoperable by way of an approved locking device and locked in an approved storage container with related equipment (e.g. magazines).



- 8.1.5 Document the removal of this equipment with an E689 Equipment Issuance and Removal Document and provide the officer with a copy as a receipt.<sup>6</sup>
- 8.1.6 Ensure that the disposition of all defensive equipment is updated in CAS.
- 8.1.7 Notify the training coordinator to discontinue practice and/or re-certification sessions for the officer until such time as the defensive equipment is returned, if applicable.

## **8.2 – Removing Agency Firearms and Defensive Equipment: Non-Administrative Reasons**

### **Managers**

- 8.2.1 Ensure that firearm(s) and all other defensive equipment are removed from an officer, employee or recruit when any of the following non-administrative reasons exist:
  - a. Criminal charge or conviction for any offence involving violence or threat of violence;
  - b. Threats or actual violent behaviour towards others or threats to do harm to themselves;
  - c. Alcohol or substance abuse;
  - d. The discovery of a medical condition (physical condition or serious psychiatric condition or serious emotional instability), whether medicated or not which may negatively influence the ability of the individual to possess, wear, or use defensive equipment; or
  - e. The officer is under investigation for a matter involving the use of excessive force or assault (e.g. striking a compliant individual); or
  - f. In the opinion of the Agency, it is not in the best interests of the Agency that an officer continues to carry or possess an Agency firearm or defensive equipment.
- 8.2.2 Regional Human Resources Advisors and/or Arming Division Psychological Support Professional services are available to provide advice on how best to proceed when removing Agency firearms and/or defensive equipment. The employee should also be offered the services of the Employee Assistance Program (EAP).
- 8.2.3 When a supervisor/manager has knowledge of or reason to suspect a psychological condition exists that may affect an officer's capacity to possess, wear or use defensive equipment, a demand for a psychological assessment can be made.
- 8.2.4 It is not necessary for the officer to be present for the removal of the defensive equipment issued to him or her. It is appropriate to remove the equipment directly from its locker. If appropriate, a note should be left inside the secure locker advising the employee of the removal with instructions to consult management for clarification.
- 8.2.5 If it is believed that the officer may be resistant or combative during the attempt to remove Agency firearm(s) and/or other defensive equipment, take appropriate precautions.
- 8.2.6 Secure handcuffs, OC spray and baton(s) in a lockable cabinet or area.
- 8.2.7 Ensure that any firearm is proved safe, made inoperable by way of an approved locking device and locked in an approved lockbox with related equipment (e.g. magazines). Ensure the officer does not have access or keys.

<sup>6</sup> Use form E689 to document issuance and return/removal of defensive equipment.



**8.2.8** Document the removal of any Agency firearm(s) and/or defensive equipment with an E689 Equipment Issuance and Removal Document and provide the officer with a copy as a receipt.<sup>7</sup>

**8.2.9** Ensure that the disposition of all Agency firearms and/or defensive equipment is updated in CAS.

**8.2.10** Notify the training coordinator to discontinue practice and/or re-certification sessions for the officer until such time as the defensive equipment is returned, if applicable.

## Notifications

**8.2.11** Immediately notify the employee's director of the removal and reasons thereof (Appendix E).

**8.2.12** Within 24 hours of the removal, notify the Arming Division in writing (CBSA-ASFC Arming Firearm Removals-Retraits Arme a feu Armement) including the following details:

- a. Employee name;
- b. Serial number(s) of any firearm(s) or other defensive equipment removed (e.g. baton, OC spray);
- c. Date the defensive equipment was removed;
- d. Reason(s) for the removal;
- e. The name and position of the member of management who authorized the removal; and
- f. Details of any previous removals.

**8.2.13** Ensure that the local security officer is notified when defensive equipment has been removed.

## 8.3 – Review Process: Non-Administrative Reasons

### Managers

#### Review of Decision to Remove

**8.3.1** The decision to remove firearm(s) or defensive equipment from an officer will be reviewed within 72 hours<sup>8</sup> by the employee's director to determine whether the firearm(s) and/or defensive equipment should be returned.

**8.3.2** To extend the 72 hour review process, the employee's director must make a request to the Director, Arming Division via the inbox. The request must include:

- a. the name of the officer involved;
- b. the reason for the request of an extension; and
- c. the length of time requested.

**8.3.3** Ensure the review of the decision to remove includes an analysis of the reason(s) for the removal and any new information pertinent to the matter.

<sup>7</sup> Use form E689 to document issuance and return/removal of defensive equipment.

<sup>8</sup> The employee's director can make the decision in less than 72 hours, however once the decision has been rendered, it cannot be rescinded and will have to be referred to the Arming Division as required under 8.3.4.



- 8.3.4** The director upon completion of the analysis may immediately authorize the return of the defensive equipment removed if warranted. Details of this review should be documented and relayed to the Arming Division, within 24 hours of the decision in accordance with the SOPs on Returning Defensive Equipment: Non Administrative Reasons.
- 8.3.5** Where the removal is continued for any period of time, the director will take steps to assess what is required in order for the removed defensive equipment to be returned to the officer. As a part of this assessment, management may consult any of the following:
- a. Psychological Support Professional<sup>9</sup>;
  - b. Labour Relations;
  - c. Occupational Health and Safety;
  - d. Training and Development; and
  - e. Other (as required).
- 8.3.6** Following consultation, an action plan will be implemented by the employee's director that may include:
- a. An interim accommodation strategy;
  - b. A "fitness to return to work assessment";
  - c. Retraining;
  - d. Counseling;
  - e. Rehabilitation;
  - f. Medical treatment;
  - g. Therapy; or
  - h. Other (as required).
- 8.3.7** At the completion of the action plan, the employee's director will prepare a written recommendation (including supporting documents) for or against the return of the defensive equipment removed. This recommendation will be brought forward to the Regional Review Committee. A copy will also be simultaneously provided to the employee from whom the firearm(s) and/or defensive equipment was removed.
- 8.3.8** The employee may prepare and submit a submission to the Regional Review Committee at any time for consideration. These submissions will only be accepted in a written format.

<sup>9</sup> The Psychological Support Professionals are available to:

- a) Provide specialized support for regional managers who need to consult with a professional when faced with the decision of removing and/or returning firearm(s) or other defensive equipment, as well as providing advice and assisting with regional and headquarters coordination once the decision to remove defensive equipment is made.
- b) Provide support to management on how to better assist officers who have been found to be unsuitable to carry/possess a duty firearm during the psychological testing. Liaise with the external services provider who administered the testing.
- c) Assist in the coordination of the mandatory assessment of any officer or employee involved in an incident resulting in serious injury or death.
- d) Advise senior management on any contentious issues that may arise.



## Regional Review Committee

**8.3.9** The Regional Review Committee will consist of:

- a. Regional Director General (or delegate);
- b. Employee's Director;
- c. Regional Human Resources Director; and
- d. Another regional director (colleague).

**8.3.10** The Regional Review Committee will confirm whether the recommendations put forward by the employee's director are appropriate and recommend a course of action including:

- a. The return of the firearm(s) and/or defensive equipment, continuation with the temporary removal of the firearm(s) and/or defensive equipment until certain conditions are met, or direct that the firearm(s) and/or defensive equipment be removed permanently;
- b. The duration of any continued removal;
- c. Any further action plan required to return the firearm(s) and/or defensive equipment; and/or
- d. Any other course of action deemed appropriate.

**8.3.11** The region's written recommendation(s) are to be forwarded to the Director General, Training and Development Directorate, Human Resources Branch for review via the Arming Division inbox and must include information on the consultations conducted as per the previous paragraph, as well as names of persons consulted and any submission(s) made by the employee.

**8.3.12** The Director General's review will include an analysis by the Arming Division of the regional recommendation(s) to determine whether they are in accordance with the law and CBSA policies, directives and standard operating procedures. The results of this analysis will then be forwarded to the Director General, Training and Development Directorate for decision.

**8.3.13** The Director General, Training and Development Directorate, shall direct the return of the firearm(s) and/or defensive equipment, continuation with the temporary removal of the firearm(s) and/or defensive equipment until certain conditions are met, or direct that the firearm(s) and/or defensive equipment be removed permanently. The decision of the Director General, Training and Development Directorate will then be communicated to the affected officer's Regional Director General.

## **8.4 – Returning Agency Firearms and Defensive Equipment: Administrative Reasons**

### **Managers**

**8.4.1** When returning Agency firearm(s) and/or defensive equipment removed or replaced for administrative reasons, ensure the officer's prerequisites for carrying/possessing a duty firearm, Agency firearm and/or defensive equipment including re-certification or practice sessions are valid and current before allowing the officer to wear or use the firearm(s) or defensive equipment on duty.

**8.4.2** Follow the SOPs in Part 3.0, Issuing Defensive Equipment.





## **8.5 – Returning Agency Firearms and Defensive Equipment: Non-Administrative Reasons**

### **Managers**

- 8.5.1** Prior to returning the defensive equipment removed (Appendix E), ensure that all recommendations made by the regional committee and conditions of return identified by the Director General of Training and Development Directorate, Human Resources Branch have been completed by the relevant individual(s).
- 8.5.2** Prior to returning firearm(s) or defensive equipment, notify the Arming Division in writing (CBSA-ASFC Arming Firearm Removals-Retraits Arme a feu Armement) including the following details:
- a.** Employee name;
  - b.** Serial number(s) of any firearm(s) or other defensive equipment removed (e.g. baton, OC spray);
  - c.** Date the defensive equipment was removed and subsequently will be returned;
  - d.** Reason(s) for the removal;
  - e.** The name and position of the member of management who authorized the return; and
  - f.** Details of the decision to return the defensive equipment.
- 8.5.3** Subsequent to approval for return of the Agency firearm and/or defensive equipment under this SOP, the Arming Division, Training and Development Directorate, Human Resources Branch must be notified in writing (CBSA-ASFC Arming Firearm Removals-Retraits Arme a feu Armement) within 24 hours of the return of any firearm and/or defensive equipment.
- 8.5.4** Ensure the officers' prerequisites for carrying/possessing a duty firearm, the defensive equipment removed, including re-certification or practice sessions are valid and current before allowing the officer to wear or use the firearm(s) or defensive equipment on duty.
- 8.5.5** Follow the SOPs in Part 3.0 Issuing Defensive Equipment.



## **Part 9: Definitions**

### **Agency**

The Canada Border Services Agency (CBSA).

### **Agency Firearm**

A firearm that is the property of the Agency and issued to an employee for use in the course of their duties or for the purpose of employment in accordance with Agency policies, directives, standard operating procedures, and applicable laws.

### **Anniversary Date**

The last day of an officer's successfully completed Duty Firearm Course or Control and Defensive Tactics Course.

### **Certified Instructor**

An instructor certified to deliver the Agency's CDT and/or firearms training.

### **Control and Defensive Tactics (CDT)**

A training program used by the Agency to teach officers how to defend themselves and take control of situations and individuals. The core elements of this program are classroom instruction related to authorities and the Incident Management Intervention Model (IMIM); practical instruction and the application of control, self-defence and handcuffing techniques; and the introduction of defensive equipment.

### **Defensive Equipment**

Equipment and devices issued to employees by the Agency including OC spray, batons, handcuffs and duty firearms, which may be used by authorized employees in compliance with Agency policies, directives, and standard operating procedures.

### **Detained Firearm**

A firearm that is detained by the Agency from an individual or business but is not seized, abandoned or otherwise forfeit to the Crown.

### **Duty Ammunition**

9x19 millimeter calibre 147 gr. jacketed hollow point ammunition that is issued to officers by the Agency for carry and use in the course of or for the purpose of the officers' duties or employment.

### **Duty Firearm**

A firearm issued by the Agency as part of the defensive equipment for an officer.

### **Employee**

A person hired by the Agency.



### **Handle**

To touch, manipulate, control or otherwise engage in the handling of a firearm.

### **Health Canada Category III Medical Assessment**

The assessment criteria that Health Canada medical practitioners will use when conducting medical assessments of employees.

### **Locking Device**

An apparatus such as a cable lock or trigger lock that when properly applied and locked ensures that a firearm is rendered inoperable and cannot be fired. In the case of the duty firearm, only the issued cable locks are permitted to be used.

### **Minnesota Multiphasic Personality Inventory (MMPI-2) and the Sixteen Personality Factor (16PF)**

These are psychological and behavioural tests that are used to evaluate the readiness of recruits and officers to carry an Agency firearm. The testing process also includes a structured stress assessment and a clinical interview that are conducted by a clinical psychologist to further investigate any specific areas of concern identified by the tests.

### **Officer**

Any employee of the Agency involved in the administration or enforcement of acts and regulations known as "program legislation" as defined in section 2 of the Canada Border Services Agency Act.

### **On Duty**

Means the hours of scheduled work and overtime.

### **Practice Ammunition**

9x19 millimeter calibre 147 gr. full metal jacket ammunition that is issued to officers for training purposes.

### **Prerequisite**

A qualification or precondition that must be fulfilled before another event or action (such as training) can occur.

### **Protected Firearm**

A firearm that has come into the possession of the Agency through seizure, abandonment or forfeiture.

### **Protective Equipment**

Protective vests and communication devices issued to employees by the Agency.

### **Recruit**

An individual who has been selected by the Agency and placed in training to become an officer.

### **Scenario Based Training (SBT)**

Training in a realistic environment using a situation the officer may encounter in their normal duties to test risk assessment skills, recognition of categories of resistance, and appropriate responses to both. This training tests the officer's judgement and skill.



## **Appendix A - Function Test (Beretta Px4 Storm Pistol)**

1. Complete a Safety Check, remove all live ammunition from the immediate area and only have empty magazines in your possession.

**Note:** Always prove the firearm safe and point the pistol in a safe direction before pulling the trigger in any portion of the Function Test.

2. Fieldstrip the pistol; check the overall cleanliness of the pistol and for the correct amount of lubrication.
3. Inspect the frame for damage, deformities and cracks.
4. Inspect the trigger and trigger spring.
5. Visually inspect the trigger bar spring, making sure it is in place.
6. Inspect the ejector for damage.
7. Ensure the back-strap retaining spring is in place. If a Hogue Grip is used, check that it is centered, in good condition and that it doesn't interfere with the magazine release button.
8. Firing pin and firing pin block check:
  - a. With moderate force (2-3 kg) push on the rear of firing pin. It should not protrude past the breech face.
  - b. Check for free movement of the firing pin block by depressing and releasing the firing block.
  - c. Depress the firing pin block and push on the rear of the firing pin until the firing pin tip protrudes from the breech face. It should protrude approximately 1.5mm (equals the distance from the breech face to the extractor).
  - d. Check the tip of the firing pin and firing pin channel for dirt and/or damage.
  - e. Release the firing pin, which should return immediately. Check for a "sluggish firing pin". Large rounded end of the firing pin should protrude from the rear of the slide approximately 1 mm.
9. Check the extractor for dirt, damage and spring tension.
10. The breech face, chamber and barrel should be clean. Check the barrel for damage and/or deformities.
11. Inspect the central block, recoil spring and guide rod assembly for damage and/or deformities.
12. Check the Night Sights for damage and/or deformities. Have the sights moved? Ensure they glow in the dark.
13. Attach the slide assembly to the frame. Cycle slide fully to the rear and release. The slide should snap forward when released, showing the recoil spring has sufficient tension.



- 14.** Check that the slide stop has spring tension.
- 15. Magazines and Magazine Disconnect:**
  - a.** Inspect the magazines for damage, deformities and/or cracks.
  - b.** Verify and ensure the chamber is empty. Without a magazine in the pistol, pull the trigger. The hammer should not function.
  - c.** Insert an empty magazine into the pistol. Verify and ensure the chamber is empty. Pull the trigger (the hammer should function).
- 16. Trigger and Firing Pin Block:**
  - a.** Verify and ensure the chamber is empty. Pull and release the trigger.
  - b.** The firing pin block should move up and down (visible at top of the slide) as the hammer moves back and then falls.
  - c.** The trigger should return to the forward position when released without sticking (reset).
- 17. Trigger Bar Disconnect –** Verify and ensure the chamber is empty. With an empty magazine in the pistol, retract the slide 2 cm. Pull the trigger. The hammer should not function.
- 18.** Rack the slide fully to the rear and the slide should lock open with the empty magazine. Depress the magazine release button. The magazine should fall freely from the pistol.
- 19.** Repeat steps 15 – 18, with each magazine.
- 20.** When your magazines are loaded, the cartridges should not stand up between the feed lips of the magazine.



## **Appendix B – User Level Maintenance and Cleaning (Beretta Px4 Storm Pistol)**

The pistol should be cleaned as soon as possible after firing, after exposure to moisture/inclement weather and/or once a month.

You should inspect the pistol approximately once a month to see if routine cleaning is necessary.

1. Complete a safety check.
2. Cleaning Equipment:
  - a. Cleaning Rod
  - b. Bore Brush
  - c. Nylon Brush
  - d. Patches and Cloth (lint free)
  - e. Approved Solvent
  - f. Approved Lubricant (oil)
  - g. Disposable Rubber Gloves
3. Approved oil and solvent:
  - a. Gun Oil (some examples)
    - Shooter's Choice FP10
    - G-96
    - MC2500 Synthetic oil
  - b. Solvent (some examples)
    - Hoppes Elite
    - MPRO 7
    - Mil-Comm MC 25
4. Unload your magazines.
5. Remove all ammunition from the cleaning area for safety reasons.
6. Field strip the pistol (refer to [Appendix A](#)).

### **Cleaning**

#### **Barrel**

7. Clean the inside of the barrel using a patch soaked in approved solvent. The patch is secured on a cleaning rod (two complete passes, starting from chamber).
8. Remove patch and use the bore brush, pushing the brush completely through the barrel (10-20 times). Follow with a patch soaked in solvent.
9. Clean the exterior of the barrel scrubbing with a nylon brush and solvent. Pay attention to the area where the central block contacts the barrel (locking lugs) and the end of the barrel (chamber end).





10. Dry the chamber and barrel by pushing a cotton patch through the barrel. Repeat until clean. Inspect the chamber with a flashlight to ensure there isn't any build of carbon fouling.
11. Dry the exterior of the barrel with a patch/cloth. Keep the area of locking lugs clean.

### **Central Block**

12. Clean the central block with a nylon brush and solvent. Pay attention to the raised tooth of the central block as the barrel rotates on the central block.
13. Carefully dry with a clean cloth.

### **Slide**

14. Avoid any excess oil/solvent to the rear of the slide that may contaminate the firing pin. When cleaning this area, including the breech face you may use a dry brush and then a patch slightly moistened in solvent. When brushing the breech face and extractor, hold the slide, muzzle down to keep debris from entering the firing pin opening.
15. Clean the slide forward of the breech face with a cloth moistened in solvent and with a nylon brush. Pay attention to the areas where the locking lugs of the barrel engage the slide.
16. Ensure the slide rails are cleaned.
17. Dry the slide surfaces with a clean cloth.

### **Recoil Spring and Recoil Spring Guide Assembly**

18. After extensive use it may be necessary to first clean these parts using a nylon brush, patch and solvent.

### **Frame**

19. Using a cloth moistened with solvent, clean the areas of the hammer, the ejector, the area where the magazine is seated (inside the grip – "Magazine Well") and the 4 frame rails. If necessary, use a nylon brush. Keep area around trigger bar clean. Take care not to dislodge the trigger bar spring or the slide stop spring. Ensure the feed ramp and magazine well is kept clean.
20. Carefully dry the frame with a cloth.

### **Magazine**

21. Field strip the magazine for cleaning.
22. If necessary, to remove firing residue, use solvent on a cloth to clean the inside of the magazine tube. Also clean the magazine follower and other components. Do not use alcohol to clean the magazine.
23. Dry the internal walls of the magazine tube and magazine components with a clean cloth and reassemble.
24. Make sure the follower moves freely when depressed.
25. Use a very small amount of oil (several drops) on a cloth and spread a thin film of oil on the exterior of the magazine tube for corrosion protection. Do not oil inside the magazine tube.



## Oiling

### Slide

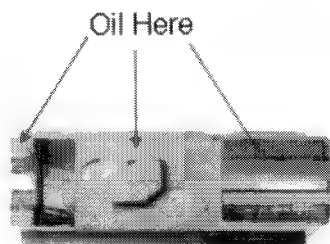
26. Lightly oil the inside of the slide forward of the breech face. Apply a drop of oil and rub in with your finger, including the opening for the barrel.
27. Using a patch with several small drops of oil; wipe the remaining surfaces of the slide for corrosion protection (only need to apply a very thin film of oil). Do not allow solvent or oil to enter the firing pin channel.

### Barrel

28. Oil the exterior surface of the barrel using the approved oil.
  - a. Apply a drop of oil to the locking lugs.
  - b. Apply a light film of oil to the exterior of the barrel with another drop of oil.

### Central Block

29. Use one drop of oil to oil the following locations. Ensure the exterior of the central block has a light film of oil.



### Recoil Spring

30. Apply one drop of oil applied to the recoil spring.

### Frame Assembly

31. Using a drop of oil on your fingertip, oil each of the 4 frame rails.
32. The metal parts in the frame can be wiped down with a patch and several drops of oil for corrosion protection.
33. The pistol can be reassembled after a function test. If there is excess oil on the rear of the slide after cycling the action, it can be wiped off.

### 3 Year Maintenance

- a. The CBSA has established a service schedule of 3 years or 5000 rounds.
- b. The armourer will perform the following:
  - Full cleaning;
  - Parts upgrade;
  - Beretta maintenance pack;
  - Inspect the magazines (spring, follower, etc.); and
  - Sight adjustment, if required.



## ***Appendix C – Sample Letter for Acquisition of Agency Firearms***

Date

**MEMORANDUM FOR (NAME OF VICE PRESIDENT – Human Resources)**

**SUBJECT: APPROVAL FOR THE PURCHASE, TRANSFER OR ACQUISITION OF  
AGENCY FIREARMS BY THE CANADA BORDER SERVICES AGENCY**

In accordance with the Canada Border Services Agency (CBSA) *Directive on Firearms and Defensive Equipment*, I recommend that you approve the purchase of (specify number and indicate if the firearms are disabled) firearms from (specify name of vendor/transferor and address):

- (Indicate make, model and type of firearm)
- (Indicate make, model and type of firearm)

Once acquired, these firearms will become the property of the Agency. The intended use of these firearms is (specify purpose, e.g., in the firearms safety training of officers.)

Should you require additional information, please do not hesitate to contact me.

\_\_\_\_\_  
(Name)

(Regional) Director General

\_\_\_\_\_  
Approved

(Name of Vice President – Human Resources)



## Appendix D – Manager's Duty Firearm Inspection Checklist

<b>Manager's Duty Firearm Inspection Checklist</b> (Section 3.2 - CBSA Standard Operating Procedures on Agency Firearms and Defensive Equipment)		
<b>INSTRUCTIONS FOR COMPLETION</b> All Parts must be completed (when applicable)		<b>DIRECTIVES À SUIVRE POUR REMPLIR</b> Toutes les parties doivent être complétées (selon le cas)
<b>PART A – PARTIE A   ADMINISTRATIVE INFORMATION – RENSEIGNEMENTS ADMINISTRATIFS</b>		
Employee Name: Substantive Position: PRI: Region: District: Work Location: Date of Inspection:		
<b>PART B – PARTIE B   INSPECTION INFORMATION –</b> Use the designated safe area within the operational facility where duties such as inspection or cleaning of the duty firearm are performed.		
INSPECTION	INSTRUCTIONS	RESULTS
3.2.2 - PROVE duty firearm safe.	Request that the officer PROVE his or her duty firearm safe.	<input type="checkbox"/> Officer demonstrated the correct duty firearm handling skills in accordance with the <u>Canadian Firearms Safety Course</u> . <input type="checkbox"/> Officer did not demonstrate the correct duty firearm handling skills in accordance with the <u>Canadian Firearms Safety Course</u> . <b>Provide action plan if checked</b>
3.2.3 – Duty firearm is loaded for duty.	Ensure that the officer's duty firearm was loaded with 1 round of duty ammunition in the chamber and 16 duty rounds in the magazine.	<input type="checkbox"/> Officer demonstrated that their firearm was loaded for duty in accordance with CBSA training. <input type="checkbox"/> Officer did not demonstrate their firearm was loaded for duty as per CBSA training. <b>Provide action plan if checked</b>
3.2.4 – Duty firearm spare magazines.	Verify that the officer carries two additional magazines in the issued pouch and inspect these to ensure they are both loaded to capacity with 17 rounds of duty ammunition.	<input type="checkbox"/> Officer demonstrated that they had two additional magazines loaded to capacity with 17 rounds. <input type="checkbox"/> Officer did not demonstrate that they had two additional magazines loaded to capacity with 17 rounds. <b>Provide action plan if checked</b>
3.2.5 - Storage of duty issued firearm.	Verify that the officer's duty firearm is stored and locked in accordance with <u>Part 5: Storage of Agency Firearms and Defensive Equipment</u> .	<input type="checkbox"/> Officer's duty firearm is stored and locked in accordance with Agency procedures. <input type="checkbox"/> Officer's duty firearm <b>is not</b> stored and locked in accordance with Agency procedures. <b>Provide action plan if checked</b>



<b>3.2.6 - Duty Firearm cleanliness.</b>	Inspect the duty firearm for cleanliness and have the officer perform a function test to demonstrate basic operability (refer to the <u>Appendix A</u> ).	<input type="checkbox"/> The duty firearm is clean and the moving parts (slide, trigger, magazine release) operate freely without the need to force them. <input type="checkbox"/> The duty firearm <b><u>is not</u></b> clean and the moving parts (slide, trigger, magazine release) <b><u>do not</u></b> operate freely without the need to force them. <b>Provide action plan if checked</b>
<b>3.2.7 - Serial number verification.</b>	Verify that the serial number (located on the frame of the officer's duty firearm) matches the serial number recorded in CAS.	<input type="checkbox"/> Serial number (located on the frame of the officer's duty firearm) does match the serial number recorded in CAS. <input type="checkbox"/> Serial number (located on the frame of the officer's duty firearm) <b><u>does not</u></b> match the serial number recorded in CAS. <b>Provide action plan if checked</b>

**PART C - PARTIE C | COMMENTS/ACTION PLAN**

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**PART D - PARTIE D | SIGNOFF**

Manager Name: Position: Date:  <hr/> Signature	Officer Name: Date:  <hr/> Signature
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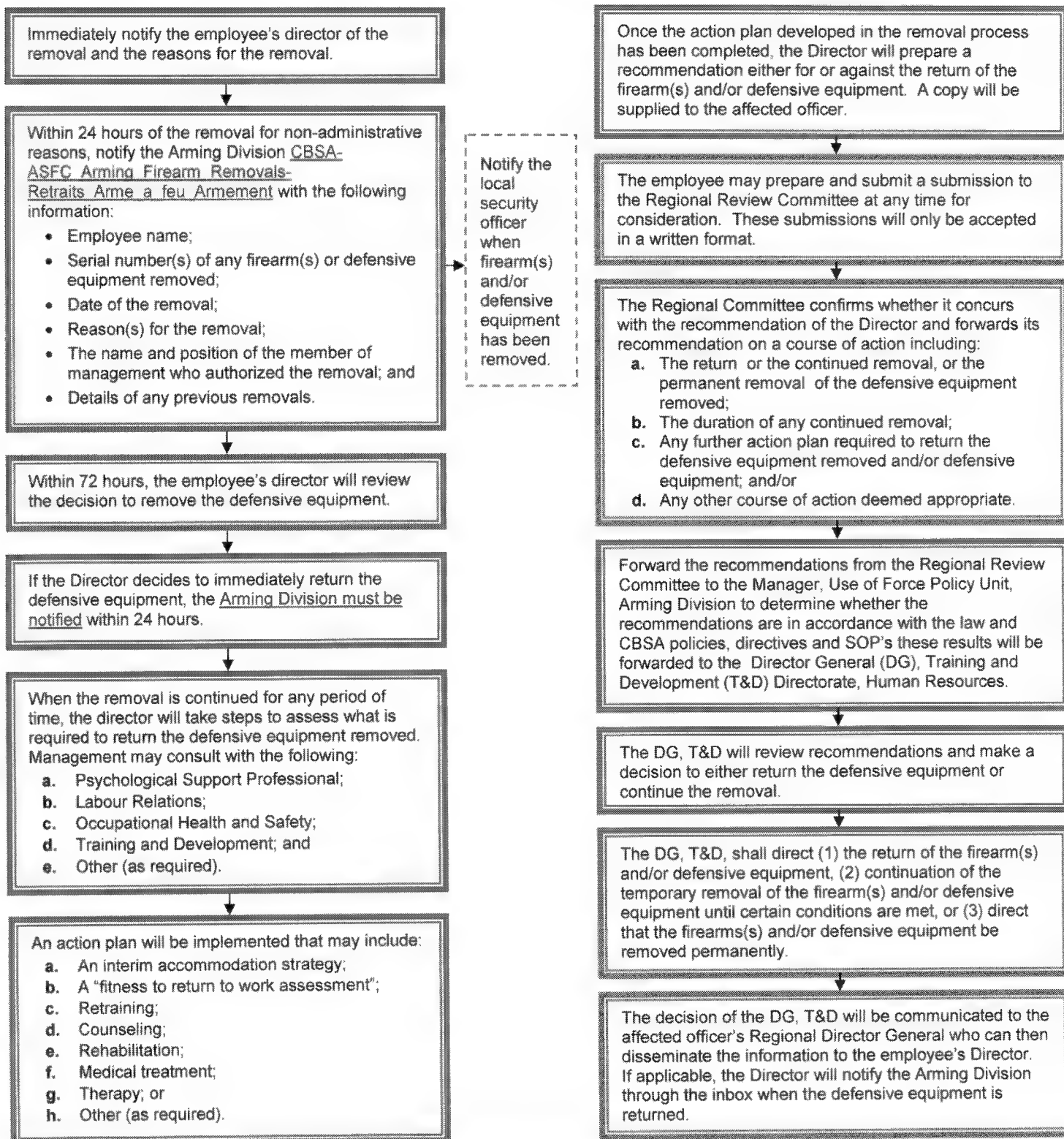
*When completed, file and retain locally.*



## Appendix E – Removal and Return of Agency Firearms and Defensive Equipment

### Removal

### Return







Canada Border  
Services Agency

Agence des services  
frontaliers du Canada



# CBSA Directive on Use of Force and Reporting

Last Updated: 2014-04-10



PROTECTION • SERVICE • INTEGRITY

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## 1. Effective Date

- 1.1 This directive takes effect on April 10, 2014.

## 2. Application

- 2.1 This directive applies to employees and recruits undergoing training and must be read in conjunction with the CBSA Policy on Use of Force and Defensive Equipment, the CBSA Directive on Agency Firearms and Defensive Equipment and the related Standard Operating Procedures.

## 3. Objective

- 3.1 The Canada Border Services Agency (CBSA) recognizes that its officers may be required, in appropriate circumstances and in the course of their enforcement of program legislation, to resort to the use of force to arrest or detain individuals or to defend themselves, fellow officers or members of the public from the threat of violence and that it will provide them with appropriate training in this respect.
- 3.2 The objective of this directive is to outline parameters on the use of force that the Agency believes is reasonable and to provide direction to officers in the use of force, defensive equipment and the reporting of incidents in which force is used.

## 4. Authorities

- Criminal Code of Canada
- Public Agents Firearms Regulations
- Treasury Board Secretariat Policy on Legal Assistance and Indemnification

## 5. Cross-References

- CBSA Comptrollership Manual – Finance Volume Legal Assistance and Indemnification for CBSA Employees
- CBSA Code of Conduct
- CBSA Policy on Use of Force and Defensive Equipment
- CBSA Directive on Agency Firearms and Defensive Equipment
- CBSA Directive on the Consumption of Intoxicants at CBSA Training Facilities and during CBSA Training Events
- CBSA Standard Operating Procedures on Use of Force and Reporting
- CBSA Standard Operating Procedures on Agency Firearms and Defensive Equipment

## 6. Definitions

**Agency** – the Canada Border Services Agency (CBSA).

**Defensive Equipment** – equipment and devices issued to employees by the Agency including OC spray, batons, handcuffs and duty firearms, which may be used by authorized employees in compliance with Agency policies, directives, and standard operating procedures.



**Duty Firearm** – a firearm issued by the Agency as part of the defensive equipment for an officer.

**Employee** – any person hired by the CBSA.

**Incident** – an activity in which a CBSA officer has used force in the performance of his or her duties and includes any situation where an officer has drawn his or her defensive equipment in the presence of a member of the public (OC spray, baton or Duty Firearm). It does not include situations where an officer is threatened or intimidated by a member of the public (security incident) unless the response to such a threat or intimidation is the use of force or the drawing of defensive equipment (refer to the CBSA Security Policies – Reporting of Security Incidents).

**Misconduct** – any incident where force is used and/or threatened to be used that is reasonably known to be excessive to the circumstances or is clearly against that authorized in policy. It will also include incidents involving the improper storage or handling of defensive equipment, including duty firearms and ammunition.

**Officer** – any employee of the Agency involved in the administration or enforcement of acts and regulations known as "program legislation" as defined in section 2 of the Canada Border Services Agency Act.

**Recruit** – an individual who has been selected by the Agency and placed in training to become an Officer.

**Report** – the action of recording details of an incident or occurrence that has taken place. Reporting may be in the form of notes or narrative reports that are completed by individuals involved in or who have witnessed incidents that become part of the formal record of that event.

**Serious Injury** – any injury that results in an individual requiring treatment at a hospital; suffering a fracture to a limb, rib, vertebrae or the skull; losing any body part; or suffering a loss of consciousness, vision or hearing.

## 7. Responsibilities

7.1 The Director General, Training and Development Directorate, Human Resources Branch shall:

- a. Ensure that policy and direction to officers and managers is consistent and up to date with the law and any jurisprudence;
- b. Ensure that training is appropriate to the needs of officers and is consistent with the duties and responsibilities of the Agency; and
- c. Ensure that an impartial review process is in place for any incident involving the use of force or firearms.

7.2 The Regional Director General shall:

- a. Ensure that officers are provided with the tools, equipment and training to carry out their duties and maintain their skills; and
- b. Ensure that liaison is maintained with headquarters on all matters related to the use of force, it's reporting and review, and in respect to the discipline or well-being of officers and other employees.

7.3 Supervisors and Managers shall:

- a. Ensure that officers are trained to use force and that they maintain their skills and proficiencies;
- b. Ensure that officers follow policy, procedures and instructions in respect to the use of force and its reporting;



- c. Ensure that they notify senior regional and headquarters management of any use of force involving death or serious injury to a person or of any discharge of firearms;
- d. Ensure that they advise officers that they may contact legal counsel when a matter is referred to police for investigation; and
- e. Ensure that they report any misconduct involving the use of force or firearms to Security and Professional Standards Division.

#### 7.4 Officers shall:

- a. Ensure that they adhere to the principles of the Incident Management Intervention Model (IMIM) in any decision to use force;
- b. Ensure that they use force only for the duties they are authorized to perform;
- c. Ensure that they use only as much force as is necessary in the circumstances to defend themselves or others, to control subject behaviour or to administer or enforce the law; and
- d. Ensure that they report any use of force within prescribed timeframes and cooperate in any subsequent inquiry or investigation into that use of force.

## 8. Requirements

### Use of Force

- 8.1 Officers will be trained to resort to the use of appropriate force, in appropriate circumstances and in the course of the enforcement of program legislation to arrest or detain individuals or to defend themselves from the threat of violence.
- 8.2 The Treasury Board Secretariat (TBS) Policy on Legal Assistance and Indemnification requires that officers who use force act in the course of their official duties, amongst other criteria.
- 8.3 Any use of force must be conducted in accordance with training standards, as approved by the Director General, Training and Development Directorate.
- 8.4 Officers must select the use of force option that is the most reasonable intervention option based on their assessment of risk, situational factors and exhibited behaviour as encompassed in the Incident Management Intervention Model (IMIM).
- 8.5 There is no written authority to draw a duty firearm. A duty firearm may be drawn when the officer has reasonable grounds to suspect that it may be necessary to use the firearm for self-preservation or the preservation of anyone under the officer's protection.
- 8.6 Officers who have been trained in the use of force and to whom defensive equipment have been issued are to respond to any situation in which the use of force may be required to ensure their safety, safety of other employees, or others, commensurate with the training they have received and the equipment they have been issued.
- 8.7 An officer who fails to respond as outlined above without reasonable justification may be subject to disciplinary action.
- 8.8 Officers shall not attempt to stop persons fleeing to or from Canada in high-risk situation (e.g. to establish roadblocks to stop port runners or to participate in vehicle pursuits). In these situations, ensure officer and public safety is maintained (e.g. open a lane and clear traffic from the area).



**8.9** Officers must exercise their judgement and tactically reposition themselves at any point in a situation if the officer justifiably believes the situation is or has developed beyond the scope of his or her training, the limits of his or her personal abilities or the limits of his or her defensive equipment.

**8.10** Officers will take immediate steps to seek medical assistance for persons injured as the result of the use of force once the tactical situation permits aid to be rendered.

### **Oleoresin Capsicum (OC) Spray**

**8.11** Officers are responsible for the decontamination of any person to whom OC spray has been applied.

### **Pointing or Discharge of Firearms**

**8.12** A firearm may only be pointed at a person when the officer has reasonable grounds to believe that the threat of death or grievous bodily harm is real and imminent.

**8.13** A firearm may be used by an officer in the course of their duties to destroy an animal that has been critically injured or that presents an immediate danger to the safety of the officer, another person or of an Agency detector dog.

**8.14** A firearm may not be discharged at a moving vehicle.

**8.15** Warning shots are not permitted as a means of compelling compliance. However, an officer may discharge a duty firearm to summon assistance in an urgent or critical situation (i.e. when in a situation of emergent distress and other methods of communication are insufficient) but only if there is no reasonable alternative. Ensure that shots fired to summon assistance are fired safely and in accordance to training.

### **Investigation of Unauthorised Behaviour**

**8.16** Employees are governed by and shall follow the CBSA Code of Conduct and the CBSA Directive on the Consumption of Intoxicants at CBSA Training Facilities and during CBSA Training Events at all times. This includes the appropriate handling/use of defensive equipment and other Agency property, as well as the carrying out of duties in a responsible and lawful manner, bearing in mind the situation, the laws of Canada, Agency policies and training.

**8.17** For the purposes of this directive, an incident of misconduct means any incident where force is used and/or threatened to be used by an officer in a manner which is not consistent with training or is clearly against that authorized in policy. It will also include incidents involving the improper storage or handling of defensive equipment, including duty firearms and ammunition.

**8.18** It is the responsibility of every employee to report to his or her superior any incident of misconduct involving the use of force and/or defensive equipment issued to an officer that he/she is part of, witnesses or is aware of. Supervisors are responsible for forwarding reports to the District Director who is then responsible for determining whether the incident falls within the policy guidelines for referring matters to the Security and Professional Standards Directorate.

**8.19** Officers are to cooperate with Security and Professional Standards investigators as they would if police authorities conducted the investigation.





- 8.20 The Agency may pursue disciplinary action, up to and including dismissal, in those instances where allegations of misconduct is proved to be founded.

#### **Legal Assistance**

- 8.21 The Agency may provide legal assistance and indemnification to its employees who require same as a result of their use of force, subject to and in accordance with the Treasury Board's Policy on Legal Assistance and Indemnification and the Agency Guidelines and Procedures on the Legal Assistance and Indemnification for CBSA Employees.
- 8.22 Legal assistance may not be provided to an employee who has stepped beyond the scope of his or her duties.

### **9. Enquiries**

- 9.1 Enquiries regarding this directive or recommendations for amendments are to be directed to:

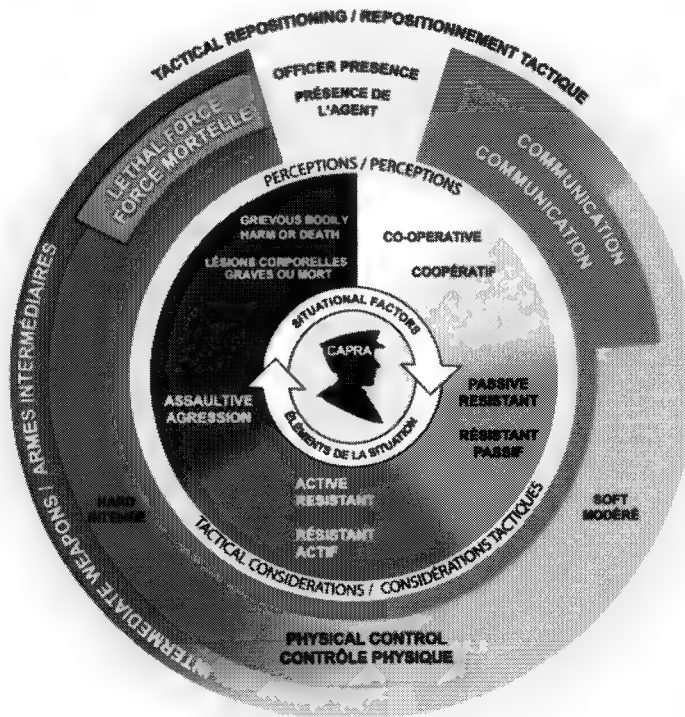
Director, Arming Division  
Training and Development Directorate  
Human Resources Branch  
100 Metcalfe Street  
17<sup>th</sup> floor, 1745  
Ottawa, ON, K1A 0L8  
Email:

### **10. Amendments**

- 10.1 Amendments to this directive shall be approved by the Director General, Training and Development Directorate, Human Resources Branch.



## Appendix A – Incident Management Intervention Model (IMIM)



The officer continuously assesses risk and applies the necessary intervention to ensure public and officer safety.

### Underlying Principles of the IMIM:

1. The primary duty of a peace officer is to preserve and protect life.
2. The primary objective of any intervention is public safety.
3. Peace officer safety is essential to public safety.
4. The IMIM is consistent with federal statute law and common law authorities and no way replaces or augments the law.
5. The intervention model must always be applied in the context of a careful assessment of risk, taking into account the likelihood and extent of life loss, injury, and damage to property as a result of the intervention.
6. Risk assessment is a continuous process and risk management must evolve as situations change.

**Hanlon, Elaine**

---

**From:**  
**Sent:** June 21, 2016 01:47 PM  
**To:**  
  
**Cc:** Levesque, Charlene; Frank, Darren; Marcuzzi, Mima; Johns, Alan; Mcknight, Tammy; O'Bertos, Lyle; Cobb, Michael; Tisdale, Doug; Klatt, Andrew; Perzow, Adam; Brain, Darrel; Morris, George; Cuvalo, Marija; Beard, Angela; Joyce, Niky; Bourgeois, Bruno; Ahmad, Rizwan; Shaw, Collin; Duncan, Warren; Mannarino, Maurizio; Shepherd, Nichole; Papp, Chris; Smith, Gregg; Guida, Anna; Montemurro, Ralph; Dvorski, Rick; Martino, Anthony; Skappak, Mike; Beauséjour, Annie; Gray, Yvette-Monique; Allard, Tamara; Robertson, Linda; Davidson, Jeff; Haeckel, Bethan  
**Subject:** Standard Operating Procedures for Escorted Removals / Procédures normales d'exploitation relatives aux renvois sous escorte  
**Attachments:** Standard Operating Procedures for Escorted Removals.docx; Procédures normales d'exploitation relatives aux renvois sous escorte.doc  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

\*\*\* La version française suit \*\*\*

**WIKI LINK :**

Good day,

Please see the *Standard Operating Procedures for Escorted Removals* document, as attached.

For more information, please contact Removal Operations at

Thank you.

\*\*\* English version precedes \*\*\*

**LIEN WIKI**

Bonjour,

Veuillez trouver le document des *Procédures normales d'exploitation relatives aux renvois sous escorte*, ci-joint.

Pour plus d'informations, veuillez communiquer avec les opérations de renvoi au :

Merci.

*Ralph Montemurro*

Removal Operations | Opérations des renvois

Inland Enforcement and Case Management | Exécution de la loi intérieure et gestion de cas

Enforcement & Intelligence Operations Directorate | Opérations relatives à l'exécution de la loi et au renseignement

Operations Branch | Direction générale des opérations

100 Metcalfe St., 11<sup>th</sup> Floor | 100, rue Metcalfe, 11<sup>e</sup> étage (new)

Canada Border Services Agency | Agence des services frontaliers du Canada

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Government of Canada | Gouvernement du Canada



Canada Border  
Services Agency

Agence des services  
frontaliers du Canada



PROTECTION

SERVICE

INTEGRITY

# **CBSA Business Case for the Escorted Removals Pilot Project**

**Final Report  
28 August 2013**



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### EXECUTIVE SUMMARY

As a result of increasing demands for the timely removal of criminals and failed refugee claimants and increasing costs and resource allocation for the Canada Border Services Agency (CBSA) in conducting the escorted removals function, there is an opportunity to reevaluate its service delivery model and identify potential efficiency gains.

In Australia, New Zealand and the United Kingdom, outsourced business models of the escorted removals function have been implemented with much success, while in the United States, federal law enforcement officers continue to carry out all escorted removals by air.

This business case study examines the context in which the CBSA operates, and analyzes the feasibility of implementing a pilot project to outsource the escorted removals function, currently performed by Inland Enforcement Officers (IEO). It also analyzes the current escorted removal program in the regions and identifies efficiencies and program enhancements to be implemented nationally, while IEOs would continue to carry out escorted removals. As escorted removals accounted for 34% of the Agency's travel costs in 2012-2013, this area of operations has been identified as one that will benefit from improvements to service delivery.

Outsourcing escorted removals is expected to produce benefits for the CBSA by avoiding future costs and by increasing productivity. The main efficiency will be found in eliminating the requirement for business class air travel, as private contractors are not subject to the provisions of the Travel Directive. This would significantly reduce expenditures for escort airfare, which currently account for 50% of the cost of an escorted removal. In addition to reduced expenditures related to escort wages and overtime, existing resources would be freed up for the CBSA to meet objectives related to priorities such as increased investigations to locate individuals with outstanding warrants, and the removal of individuals that found to be inadmissible to Canada. Sensitivity analyses have concluded that the CBSA would gain efficiencies if a private contractor performed the escorted removal function.

The escorted removals program has been reviewed and opportunities have been identified that may be implemented in a short timeframe. Inconsistencies were found in the regions regarding the key aspects of the program. Implementing best practices nationally will result in acceptable efficiencies and reduce travel expenditures related to escorted removals. Standard procedures will reduce the number of requests for escorted removals that are approved and reduce the number of officers required to perform escorts. Clear approval levels with regard to all aspects of the escorted removal process are to be established, in order to manage escort volumes and budgets. Efforts are to be taken to reduce business class air travel by scheduling additional rest periods to break up the return, until a longer term solution such as amendments to the Travel

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Directive may be made by the National Joint Council. The reduction in business class air travel may be facilitated by scheduling escorts out of regions with access to shorter-haul flights from the destination or from a suitable rest stop, or "escort hubs". Private contractors may be utilized in each region for all transports to the point of departure from Canada. Other projects that can be implemented to reduce overall escorted removal expenses include participating in joint charters with the US/international partners and leveraging existing government fleets.

It is recommended that the CBSA proceed with these program improvements. The results may be evaluated after a period of time and if the expected results are not achieved, a pilot project for outsourcing escorted removals may be implemented by using the services of one private contractor in three identified regions: Pacific, GTA and Quebec, for an initial evaluation period of three months.

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### INTRODUCTION AND CONTEXT

#### CBSA

The CBSA provides integrated border services by managing, controlling and securing Canada's borders in support of national security priorities. The CBSA's responsibilities include enforcing legislation that governs the admissibility of people, goods, plants and animals into and out of Canada.

Four key pieces of legislation determine immigration related activities of the CBSA:

- **Canada Border Services Agency Act** : Establishes the CBSA, created by Order in Council on December 12, 2003. The Act sets out the responsibilities, mandate, powers, duties and functions of the Minister responsible for the Agency and its President.
- **Immigration and Refugee Protection Act (IRPA)**: Gives the CBSA the authority to investigate and identify inadmissible persons in Canada; detain foreign nationals and permanent residents whom it believes pose a risk or danger to the public; and remove individuals found inadmissible to Canada.
- **Protecting Canada's Immigration System Act (PCISA)**: Received Royal Assent on June 29th, 2012. The Act is an amalgamation of: *The Balanced Refugee Reform Act* (Bill C-11); *The Preventing Human Smugglers from Abusing Canada's Immigration System Act* (component of Bill C-4). This Act provides for faster removal of those who don't require protection and limited access to appeal mechanisms for failed refugee claimants who come from generally non-refugee producing countries. This Act is expected to cause greater demand for inland enforcement officers to perform highly-skilled primary duties and removals more efficiently and effectively.
- **Faster Removal of Foreign Criminals Act (FRFCA)**: Received Royal Assent on June 19, 2013. This Act speeds up the removal of dangerous foreign criminals from Canada by limiting their access to the Immigration and Refugee Board's Immigration Appeal Division (IAD). This Act also ensures that foreign nationals who are inadmissible on the most serious grounds – security, human or international rights violations, or organized criminality – are not able to delay their removal by applying for a program that is meant for cases deserving of humanitarian and compassionate consideration. This may cause a greater demand for escorted removals, as the persons inadmissible on these grounds may pose a safety or security risk during their removal.

Canada continues to rely upon immigration to ensure demographic growth and global and domestic demographic patterns suggest the possibility of increased irregular migration from high-risk countries. Recent reforms to immigration legislation have been implemented to deliver faster

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decisions, deter abuse and quickly remove unsuccessful refugee claimants and dangerous foreign criminals.

Since the number of escorted removals from Canada is expected to remain constant or increase, the CBSA is undertaking a review of the Escorted Removals program to determine if outsourcing this component of its mandate is a desirable solution to relieve pressures on current resources.

For the purpose of this business case, it is understood that the review is considering air-only escorted removals.

### ESCORTED REMOVALS

#### REGULATIONS FOR AIR TRAVEL

International regulations require that persons under removal order be escorted on an aircraft when it is determined, through a risk assessment, that the person may offer resistance or pose a safety or security risk during flight.

The Convention on International Civil Aviation, also known as the Chicago Convention, of which Canada is one of the original signatory states, established the rules of airspace, aircraft registration and safety, and the rights of the signatories in relation to air travel. Annex 17 of the Chicago Convention deals with Aviation Security.

The Convention established the International Civil Aviation Organization (ICAO), a specialized agency of the United Nations, which is responsible for coordinating and regulating international air travel.

The Aviation Security Manual (Doc. 8973) of the ICAO assists signatory states in implementing Annex 17 of the Chicago Convention. Volume IV of this manual, entitled Preventive Security Measures, deals with the requirement for escorts of passengers under a removal order.

In Volume IV of the Aviation Security Manual, it states:

"5.3.5 Risk assessments should be carried out by authorities for passengers who are earmarked for removal from a State, and the results should be communicated to the aircraft operator and the pilot-in-command. Risk assessments should take into account passengers' history, past and current behaviour, any media or activist activity and any other relevant aspects that may indicate a security risk.

5.3.6 Based on the results of risk assessments, authorities should indicate whether an escort is necessary."

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Regarding the number of escorts, the manual states:

"5.4.3 One or more escorts should accompany a deportee if an assessment indicates that the passenger may offer resistance and could pose a security risk during flight."

"5.4.6 To ensure flight security, aircraft operators may transport persons in custody under certain conditions, i.e. if the person in custody is: a) not considered dangerous, the passenger should be accompanied by at least one law enforcement officer (with the agreement of the aircraft operator); and b) deemed dangerous, two or more law enforcement officers should escort the passenger (notwithstanding the presence of escorts, not more than one such passenger should be allowed on any flight)."

The manual provides that the number of escorts required for each situation, if any, is determined jointly by the relevant authorities and the aircraft operator.

Policies and procedures of the International Air Transport Association (IATA), the European Civil Aviation Conference (ECAC), and the Canadian Air Transport Security Authority (CATSA) regarding the escort of deportees are in accordance with what is directed in Volume IV of the Aviation Security Manual.

IATA and ECAC's policies indicate that the risk assessment "shall take into account all pertinent factors, including medical, mental and physical fitness for carriage on a commercial flight, willingness or unwillingness to travel, behavioural patterns, any history of violence and other relevant considerations."

In addition, their policies stated, that "When an escort is based solely on legal requirements imposed by a State at a transit/transfer point, and not on any finding of risk, the escort requirement may be waived on the connecting flight, subject to applicable local regulations and where agreed by all operators involved."

According to the Canadian Aviation Security Regulations, 2012, (CASR), the organizations responsible for escorting a person in custody must provide the air carrier with information about whether the person is a maximum, medium or minimum risk to the safety of the travelling public and the operations of the air carrier and airport. The air carrier and the organization must agree on the number of escorts necessary. At least two officers are required to escort each person who is a maximum risk. One escort officer may escort each person who is a medium risk and not more than two persons who are a minimum risk. The CASR provides instructions for an escort officer who is a peace officer (a member of the Correctional Service of Canada, the RCMP, an officer who is enforcing IRPA, or a member of the military police of the Canadian Forces). The

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CASR also provides instructions for an escort officer who is not a peace officer, which delivers escort services under a contract.

### ESCORT TYPES

Part ENF 10 Removals of the Operational Manuals, Section 27 deals with Escort Procedures. According to the manual, there are three types of escort activities undertaken when an officer's presence is required while an individual under a removal is being transported or travelling outside of Canada:

An **Accompaniment Escort** occurs when the manager has identified that there is no risk, but due to airline, in-transit or foreign rules, there is a requirement for a CBSA presence. In this situation, the accompaniment is for facilitation only.

The deportee can be left alone for short periods of time in a controlled environment i.e. on an aircraft. In these circumstances, only one CBSA officer would be assigned to the removal.

A **Risk-based Escort** occurs when an enforcement officer travels outside Canada to effect a removal and management has determined that sufficient risk exists to justify it.

In these cases, two or more enforcement officers would be assigned to the removal.

A **Transport Escort** occurs when an individual under a removal order is being transported from one location to another within Canada, transported to the last departure point in Canada, or transferred by land to the United States POE.

Security guards contracted by the CBSA will do this work where services are available.

The requirements for escorts detailed in the operational manual are in accordance with international and Canadian regulations for the security of air travel.

### THE TRAVEL DIRECTIVE

The Travel Directive applies to all federal Government of Canada employees while travelling on government business. The Travel Directive was co-developed by representatives of collective bargaining agents and the employer representatives on the National Joint Council (NJC). Created in 1944, the National Joint Council today includes 18 public service bargaining agents, Treasury Board and a number of "separate employers" as official members.

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The NJC conducts regular cyclical reviews of the Travel Directive approximately every three years. The last review was conducted in 2011-2012 and did not result in any changes to the Travel Directive.

The Travel Directive is deemed part of all collective agreements. The Border Services (FB) Collective Agreement which expired on 20 June 2011 indicates that the Travel Directive forms part of this agreement. The Treasury Board's offer to the FB Group on April 29, 2013 did not eliminate the Travel Directive from the proposed collective agreement.

The requirement for business class while travelling on longer flights while on government business has long been established. The Travel Directive (1993), and the Travel Directive previous to that, stated that business or executive class travel was applicable for all continuous air travel exceeding 12 hours. The Travel Directive effective October 1, 2002 limited the application to international flights only, but reduced the duration required from 12 hours to 9 hours.

One of the principles that the Travel Directive is based on is the principle of Valuing people, which is defined as recognizing employees in a professional matter while supporting their health and safety in the travel context. The requirement for business class arose to minimize the health risks associated with long haul air travel.

The current Travel Directive, effective April 1, 2008, states in section 3.4.11 of Module 4 for International Travel,

"The standard for air travel is economy class. The lowest available airfares appropriate to particular itineraries shall be sought and bookings shall be made as far in advance as possible.

Where available, business/executive class air travel shall be authorized where continuous air travel exceeds nine hours. Continuous air travel starts at the scheduled departure time, and ends with the arrival at destination or with an overnight stop or layover equivalent to an overnight stop."

## BUSINESS CASE METHODOLOGY

### DOCUMENT AND DATA REVIEW AND ANALYSIS

Key CBSA documentation reviewed included Identification and Assessment of Options for the Escort Program, CBSA background documents, contracts with private security firms, communications documents and international Web site information. In addition, the May 2008 Office of the Auditor General Report and materials from the Web sites of CIC, and IRB were reviewed and analyzed. The Comptrollership Branch, CBSA Regions and CBSA Enforcement and Intelligence Operations Division (EIOD) provided financial data and information on detentions and removals activities.

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#### RESEARCH LIMITATIONS AND ASSUMPTIONS

The business case used information provided by the Comptrollership Branch and input from the regions. This business case is based on the best data available at the time of writing; however an accurate cost comparison was complicated, due to some data being unavailable.

#### PURPOSE OF THE BUSINESS CASE

The objective of this business case is to provide a full analysis of the escorted removals function which will assist the CBSA in deciding whether a pilot project to outsource the escorted removals function from CBSA, or enhancements to the current program, are feasible and beneficial for the agency.

The CBSA mission is to ensure Canada's security and prosperity by managing the access of people and goods to and from Canada.

Final approval from the CBSA President is required before either a pilot project for outsourcing escorted removals can be initiated or, if the escorted removals function is not to be outsourced, to implement improvements to the current escorted removals program.

If implemented the pilot project will be followed by an evaluation phase which will assist the CBSA in determining the feasibility of delivering the outsourced model nationally. The proposed pilot project depends on simultaneous deployment in three regions: Pacific, GTA and Quebec. To ensure national consistency, only one private contractor will deliver this service. The pilot project will run for an initial period of 3 months, with the option to extend for two additional 3-month periods, for a total duration of 9 months.

Instead of implementing a pilot project to outsource the escorted removal function, enhancements may be made to the current program that would result in cost savings. This would involve the implementation of national "best practices" and amendments to the ENF 10 manual. It may also include outsourcing transports by domestic air travel, limiting international escort operations to the three largest regions in order to exploit operational efficiencies, and the coordination of national projects such as joint charters with the US and international partners. The CBSA may also undertake to work with other federal government partners and use existing government fleets. Representatives from the Government of Canada may also seek at National Joint Council to amend the Travel Directive requirements in order to further limit the requirement for business class air travel.

#### STRATEGIC ENVIRONMENT

##### OVERVIEW OF CBSA STRATEGIC ENVIRONMENT

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Since December 2003, the CBSA has been an integral part of the Public Safety Portfolio, which was created to protect Canadians and maintain a peaceful and safe society. The President of the CBSA reports directly to the Minister of Public Safety Canada and controls and manages all matters relating to the Agency.

#### Our Commitment to Service Excellence

- Respect and courtesy
- Bilingual service
- Fair application of the law
- Accurate information
- Privacy and confidentiality
- Review of our actions and decisions

On April 1st, 2010, as part of its ongoing Change Agenda, the CBSA implemented a new organizational structure designed to establish clearer lines of accountability within the Agency.

The CBSA's Change Agenda remains a multi-year transformational initiative, concentrating on setting the foundation for a more dynamic, responsive and service-oriented organization. The CBSA continues to modernize and streamline its business processes by seeking ways to improve the effectiveness and efficiency of its programs and services. This represents an important transformational challenge for the CBSA: to deliver programs in a more cost-effective manner, while maintaining the same level of service excellence and innovation.

The CBSA's objective is to balance national security and public safety with the movement of legitimate cross-border trade and travel. While immigration continues to drive Canada's growth, present immigrant and refugee activity suggests increases in irregular migration from high-risk countries. This brings greater demands for faster, more predictable and cost-effective screening, investigations and removals.

In order to meet the aforementioned objective, the CBSA relies upon its workforce of approximately 14,000 employees. Specifically, the Agency's ability to accomplish its removal mandate depends on the expertise of its IEOs, who report to the Enforcement and Intelligence Operations Division (EIOD). The functions performed by EIOD include determining the admissibility of persons to Canada or the right of persons to remain in Canada and to remove from Canada those persons deemed to be inadmissible.

On average, Canada removes between 15,000 – 18,000 inadmissible persons annually. The majority of these inadmissible persons leave Canada voluntarily but approximately 500 - 600 of these persons will need to be escorted to their home country, mainly to ensure public safety and the safe arrival of the inadmissible person at destination.

The number of escorted removals is shown in Figure 1. The GTA has the largest volume of escorted removals, while the Quebec region saw a steady increase from 2009 to 2012. The volume of escorted removals saw a significant increase in all regions in 2012-2013 as a result of efforts made to reduce the removals inventory backlog.

**Figure 1: Number of Escorted Removals by Region, 2009-2013**

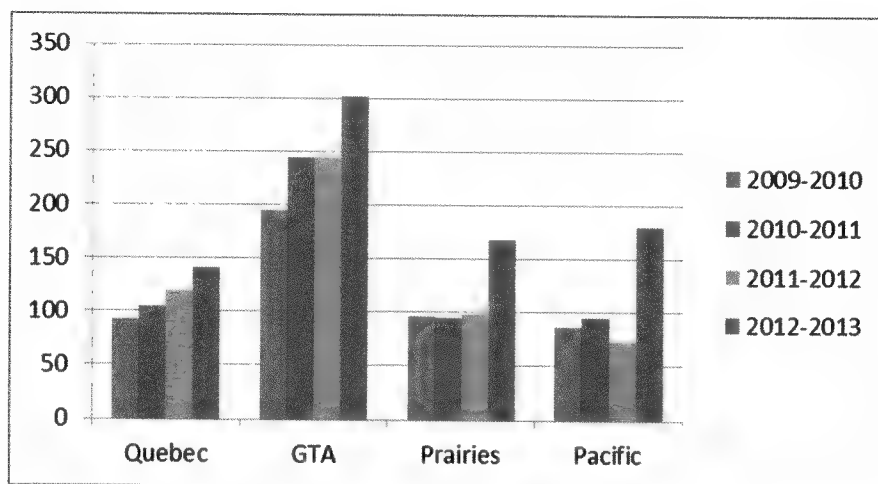
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## FINANCIAL AND HUMAN RESOURCES

As a result of the Deficit Reduction Action Plan, the CBSA's financial and human resources will diminish over the next two years. Consequently, the CBSA must explore new solutions to deliver its mandate, including how it conducts escorted removals.

Table 1 provides summary data on the financial and human resources of the CBSA for this period.

**Table 1: Financial and Human Resources**

Financial Resources (\$ thousands)		
2012-13	2013-14	2014-15
1,776,020	1,666,165	1,620,700

Human Resources (Full-Time Equivalent)		
2012-13	2013-14	2014-15
14,034	13,911	13,960

## BUSINESS NEEDS

Budget 2013 announced a reduction in departmental spending on travel by 5 per cent beginning in Fiscal Year (FY) 2013-2014, which represents approximately \$1.56 million. Therefore a review of the travel processes has been undertaken and opportunities outlined to make travel more

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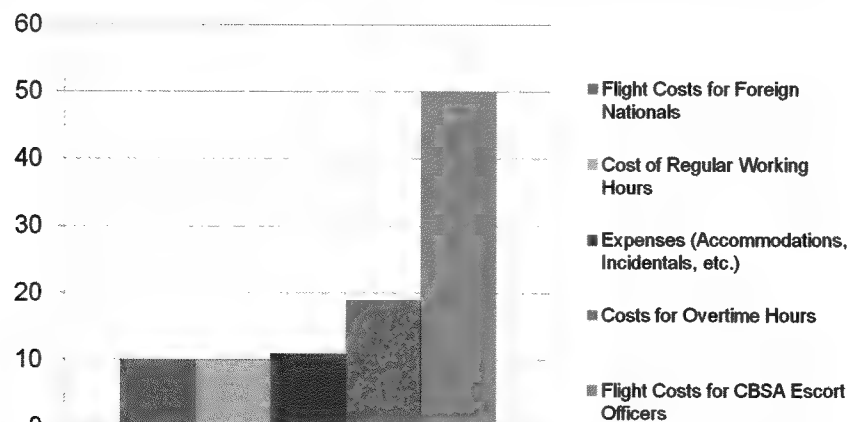
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efficient within Escorted Removals program. Escorted removals made up approximately 6 per cent of the total removals in 2012-2013.

Overall costs for all removals in Fiscal Year (FY) 2012-2013 were almost \$13 million, with an average cost of more than \$13,000 per escorted removal. This represents approximately 34 per cent of the Agency travel costs in 2012-2013.

Figure 2 shows the cost breakdown for the expenses related to one escorted removal. 10% represents the flight of the person being removed and 10% is the cost of salary for the IEOs. Expenses related to travel and overtime costs account for roughly 30% of the total cost, and finally, the flight for the IEOs accounts for 50% of the cost of removal.

**Figure 2: Estimated Costs Related to one escorted removal, 2011-2012**



Source: CBSA documentation

This data is consistent with various internal and external audits and reports which have demonstrated that the escorted removal function performed by CBSA IEOs lead to significant overtime and travel costs. In 2011-12, approximately 90% of the costs for escorted removals were related to IEO expenses, which are set by the Collective Bargaining Agreements and the Government of Canada's Travel Directive.

Table 2 identifies the comparative cost for the four large regions regarding flight costs, IEO accommodations, regular and overtime salary, and supports the information found in Figure 2.

**Table 2: Overall Escorted Removals Costs for 2011-2012 by Four Regions**

Comparison of Cost By Region for Escorted Removal
Fiscal Year 2011-2012

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CBSA REGIONS	Number of Escorted Removals	Flight Costs		IEO Accommodations Per Diem and Incidentals Expenses	Regular Wage = Hr x 34.02	Overtime = Hr x 51.03	Total Costs	Total Hrs	Avg. Cost
		IEO	Detainee						
Quebec	119	\$855,250	\$193,813	\$173,003	\$137,239	\$342,270	\$1,701,574	10741	\$14,299
GTA	245	\$1,238,243	\$310,208	\$336,651	\$358,435	\$625,479	\$2,869,015	21559	\$11,710
Pacific	73	\$604,447	\$121,866	\$114,450	\$134,600	\$194,241	\$1,169,583	7762	\$16,022
Prairies	99	\$711,713	\$137,166	\$172,908	\$162,019	\$293,012	\$1,476,818	10923	\$14,917
Total	536	\$3,409,653	\$763,053	\$797,011	\$792,293	\$1,455,002	\$7,216,990	50,985	\$13,464

Table 3 shows the overall escorted removal cost for 2011-12, by region as well as the average cost per removal, by region. The numbers in this table include six regions: Quebec, GTA, Pacific, Atlantic, Prairies and NOR.

**Table 3: Overall Escorted Removal and Average Cost for 2011-2012 - All Regions**

Region	Salary	O/M Costs	Total Cost	Removals	Avg. Cost per removal
Quebec	\$ 479,508.79	\$1,222,066	\$1,701,574.79	119	\$14,299
GTA	\$ 983,913.74	\$1,885,102	\$2,869,015.74	245	\$11,710
Pacific	\$ 523,062.13	\$ 646,522.25	\$1,169,583.48	73	\$16,022
Atlantic	\$ 39,457.00	\$28,540.07	\$67,997.07	8	\$8,500
Prairies	\$ 455,031.44	\$1,021,787	\$1,476,818.44	99	\$14,917
NOR	\$19,890.00	\$148,123.07	\$168,013.07	20	\$8,401
Grand Total	\$ 2,500,863.10	\$ 4,952,140.39	\$7,453,003.49	564	\$13,611

In May 2011, the CBSA engaged Government Consulting Services to undertake a high level feasibility study and option analysis of the Escorted Removal function. The findings derived from this study indicated that costs for IEOs to conduct escorted removals are considerable.

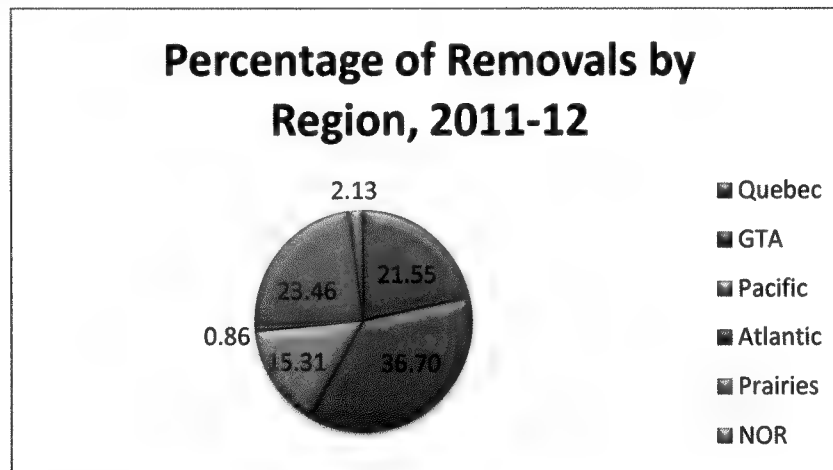
Figure 3 shows the breakdown by region of escorted removals. The data indicates that the lowest costs are in GTA, while the highest costs are incurred in the Prairies. The difference in cost can be mostly attributed to the availability of direct flights. However, some operational procedures and best practices may be implemented in other regions to achieve efficiencies.

**Figure 3: Comparison of Escorted Removals across regions, 2011-2012**

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Source: CBSA Documentation

In FY 2011-12, a total of 564 escorted removals were carried out by CBSA IEOs in all regions. The estimated time required to complete these is 53,885 hours.

In FY 2010-11, when factoring in regular time and overtime, the Agency compensate IEOs conducting an escorted removal for 75 hours of work. Data for 2011-12 shows that compensation now represents 95.54 hours of work. As this number increases, CBSA's resource availability will decrease.

### PRIMARY DRIVERS FOR CHANGE THAT IMPACT ESCORTED REMOVALS

With an increase in the number of removals, objectives to reduce the backlog and the targeting of newly-defined illegal activities, the CBSA's removals function is expected to respond to new requirements by the Government of Canada which includes the faster removal of criminals and the streamlining of the refugee determination system.

The need to effectively use financial and human resources within the Enforcement and Intelligence Operations Division is expected to influence the ability of the CBSA to meet those objectives.

Ensuring the continued delivery of the escorted removals function in a professional and efficient manner has many challenges. These challenges, as identified by the EIOD, reduce its ability to be as effective as possible in the use of its financial and human resources:

- **Lack of consistency and cost-effectiveness:** decisions taken are not consistent among regions. Cost savings is the most prominent driver for possible change and

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addresses the reoccurring question raised by studies and audits as to whether the escorted removal function is conducted in the most cost-effective manner.

- **Management oversight:** It is important for the CBSA to be able to monitor the escorted removals function per Agency's requirements and standards.
- **Productivity and operational capacity loss:** An escorted removal can remove an IEO from the office for at least a week. Their absence has a negative impact on productivity and results in a loss in operational capacity.
- **Better use of inland enforcement officer resources (investigations):** If IEOs are not on escorted removals their ability to perform their duties related to the investigation and apprehension of those illegally in Canada is increased.
- **Reduced costs to perform the escorted removals function:** Escort officer wages, overtime and the requirements of the Travel Directive may contribute to the high cost of performing the escorted removals function. Lower wages and reduced travel expenses in the private sector may contribute to lower costs. However, the staffing levels of IEOs who are receiving wages would not be reduced.
- **Continued delivery of the escorted removals function in a professional and efficient manner:** Strict protocols, directives and procedures must be put in place to ensure that the private contractor conforms to the CBSA's policies and procedures.

## CBSA RESPONSE TO INTERNATIONAL AND CANADIAN BUSINESS TRENDS

As part of the business case, a review of international and national trends was conducted to capture best business practices. To gain insight on international trends and drivers, the models adopted by four countries (members of the Five Country Conference – FCC),

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an outsourcing model, or program improvements that would allow IEOs to continue to conduct escorted removals.

### PILOT PROJECT – OUTSOURCING THE ESCORTED REMOVALS FUNCTION

#### OBJECTIVES AND OUTCOMES

Outsourcing the escorted removals function has the potential to meet the current and future needs of the CBSA by relieving pressures on existing resources. The key business elements the CBSA needs to consider are two-fold: decrease costs and increase productivity. While CBSA recognizes the high quality of the IEOs current escorted removals performance, it accepts that the current methods of operation are very costly with respect to overall expenditures and the productivity of IEOs in other areas of their job.

The final objectives of the pilot project would be:

- To determine the cost savings as a result of outsourcing the escorted removal function;
- To better apply the expertise of IEO resources; and
- To ensure that EIOD has sufficient resources to successfully fulfill its mandate.

The time IEOs spend conducting escorted removals translates into lost productivity for the CBSA, as IEOs are away from primary duties during those periods. The cost to the CBSA is estimated to be 25.34 FTEs per year. Given these assumptions and estimates, an average of 25.34 IEOs will be available to concentrate on their primary duties including investigations, reducing the warrant inventory, and removal of failed refugee claimants and other inadmissible persons. The table below identifies the estimated number of additional cases an IEO could complete (i.e. low and high complexity/effort), if they were not undertaking escorted removals.

**Table 4: Cases Completed if IEO Resources Were Redirected, 2011-2012**

Activities	Low Effort in hours	Cases Complete with Low Effort	High Effort in hours	Cases Complete with high effort

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<b>Investigations</b>	26.75	1847	219	225
<b>Total</b>				
<b>Removals Total</b>	40.5	1220	289	171

Source: CBSA Documentation

\*NOTE\* This figure is calculated by taking the number of FTE's and multiplying by the average hours worked by a IEO and dividing it by the number of hours required for a low and high effort investigation or removal.

All pertinent data is originating from the RAM survey (Annex A) conducted by CBSA in fiscal year 2011-2012.

Financial consideration is one of the key components required to ensure a successful pilot project; a second important element are the key desired outcomes and performance measurements indicated in Table 5.

**Table 5: Desired Outcomes and Performance Measures**

1. Increase efficiency and modernize escorted removal function without compromising public safety and national security	
Desired Outcomes	Performance Measures
Protect public interest, safety and national security	Number of safety and national security issues reported to CBSA from airlines or international stakeholders
Ensure professional conduct, demonstrate integrity and respect clients while acting on behalf of CBSA	Number of incidents or complaints reported from public, airlines or international stakeholders
Retain CBSA oversight and management of the program	Accountability to the CBSA President and availability of key information to the minister and through the minister to Parliament Full transparency - CBSA has in-depth knowledge and insight into all escorted removal activities
Managing employee expectations	Number or % of staff turnover due to privatization of escorted removal function Number of complaints received from IEOs

2. Implementation of pilot project at zero cost to the Government of Canada	
Desired Outcomes	Performance Measures
Identify and manage cost to implement and administer pilot project	Identify cost savings to CBSA and program
Pilot project means better service to Canadians at a lower costs	Cost effective arrangement with undue negative impacts

3. Defer future CBSA costs and increase productivity	
Desired Outcomes	Performance Measures
Cost savings due to lower wages, travel and overtime costs in the private sector	CBSA O&M savings due to pilot project

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Fewer numbers of flights and overtime hours averted with outsourcing escorted removal program	% of O&M and salary dollars redirected to primary duties
Fewer number of overtime hours and time spent away from the office	% increase in productivity as resources are reassigned to other enforcement functions
Implementation of the Protecting Canada's Immigration System Act	IEOs perform highly-skilled primary duties resulting in an increase number of removals being completed more efficiently and effectively
Reporting structure in place to monitor costs and performance measurements of private security contractor	Monthly reports monitored and performance measurements anomalies reported

4. Build a solid partnership with the private security contractor	
Desired Outcomes	Performance Measures
Identify clear lines of roles and responsibilities	Number of issues reported by private contractor or CBSA employees
Private contractor is recognized nationally and internationally as Agent of CBSA	Number of issues raised by national and international stakeholders
Regular meetings between Private contractor and CBSA	Monthly meetings conducted and number of issues resolved

## NATIONAL TRENDS: INLAND ENFORCEMENT OFFICERS

The delivery of the escorted removal function through a private contractor is a significant change from the current way of doing business within CBSA. However, the pilot project is in line with similar business practices in other countries. In these countries, escorted removals conducted by trusted third party service providers have proven to contribute to cost-effectiveness and productivity, while maintaining the integrity of the removals program.

In Budget 2011, the Government of Canada called on departments to conduct a comprehensive one-year review of program and operating costs. As a result of the Deficit Reduction Action Plan, and the Economic Action Plan of Budget 2012, CBSA has been implementing cost saving measures to modernize and refocus the cost of operations and program delivery. CBSA has undertaken to streamline internal services and low-performing processes. As a result, staffing controls were put in place in 2012. Through the careful management of vacancies and attrition, CBSA had been able to minimize job losses. Approximately 250 employees of CBSA were made surplus.

All regions and levels of CBSA have been impacted by workforce adjustment so that, combined with regular turnover of IEOs (due to promotion, resignation for employment outside CBSA, termination and retirement) has resulted in reduced staffing levels while performance and productivity is not expected to decrease. The recent legislative changes require the CBSA to

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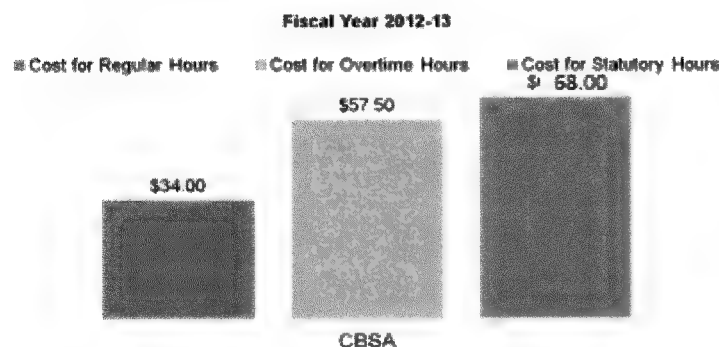


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carry out removals in short order, prior to additional avenues of recourse becoming available. Outsourcing some employee duties may allow CBSA to better meet these expectations.

The comparison between the private contractors versus CBSA identifies efficiencies gained in cost, time and productivity. It is with these efficiencies that the Agency will increase its capacity to conduct more investigations, and remove those who have no right to remain in Canada.

**Figure 7: IEOs Cost per Hour**



Source: Contracts for GTA, Vancouver and Email from Quebec Region. Comparative Escorted Removal costs between CBSA IEO and Private Guard Services.

NOTE \* The overtime hours reflected include blended rates of 1.5 hours, 1.75 hours, and 2.0 hours due to Shift schedules and the Collective Bargaining Agreement.

**Figure 8: Private Contractor Cost per Hour**



Source: Contracts for GTA, Vancouver and Email from Quebec Region. Comparative Escorted Removal costs between CBSA IEO and Private Guard Services.

## IMPACT ON CBSA - FTEs

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It is important to stress that there would be no job losses as a result of this pilot project. Since there would be no future reduction in staff, there would ultimately be no cost savings in regards to salary. However, the increased availability of IEOs can reduce the impact of already reduced staffing levels. IEOs increased availability can be reinvested in other enforcement activities and IEOs availability will allow them to positively impact the rest of the inland enforcement program. The gains made by CBSA are equivalent in time and resources to 25.34 full-time employees, who, if not conducting escorted removals would be completing their primary duties. Table 6 shows the calculations of regular and overtime hours for IEOs, for ease of reference.

**Table 6: IEO Regular and Overtime Hours for 538 Escorted Removals, 2011-2012**

Regular hours	OT hours	Total Hours to Complete Escort Removals	Final Adjusted overtime Converted hours to FTEs (23288+24439=47,727/1883)
4034	6707	10741	5
10536	12257	22793	11
3956	3806	7763	4
4762	5742	10504	5
<b>23288</b>	<b>28513</b>	<b>51801</b>	<b>25.34 or 25</b>

### IMPACT ON CBSA – BUDGET

After careful examination of various options, the conclusion is that outsourcing to a private contractor would allow CBSA to achieve cost savings in overtime, travel expenses and airfare.

### FINANCIAL ANALYSIS

New business proposals require a holistic review of costs, benefits and results. As part of this business case is a comprehensive financial analysis which brings together various variables and assumptions related to outsourcing the escorted removal function and how it will financially impact the CBSA.

### ANALYSIS OVERVIEW

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The analysis consists of six key elements for the pilot project proposal:

1. **Actual Financial Costs to the CBSA:** The proposed model is based on actual costs over a three-year period. Three fiscal years were applied to obtain a broader perspective on how much the CBSA currently invests in the escorted removal function. The cost comparison further indicates any variances in specific costs and efficiencies gained or lost during this period.
2. **Current Inland Enforcement Officers:** Efficiencies are based on the current number of IEOs, average number of escorted removals conducted per IEO during a fiscal year, and number of hours available to be dedicated to primary duties if escorted removal function is outsourced.
3. **Expected benefits for the CBSA:** Financial benefits are identified in percentage of savings for the CBSA if the pilot project continues (reduction in overtime, travel cost, etc.). Moreover, management will benefit by allocating highly-skilled and highly-trained IEOs to perform tasks such as investigations, detentions, and removals.
4. **Operations Analysis:** The operational analysis compared the cost of outsourcing the escorted removal function on a regional basis. The assumption is that since labour costs for a private contractor will be substantially less and the private contractor does not adhere to the Travel Directive, escorted removals can be conducted at a reduced cost.
5. **Cost Savings:** This element considers the costs associated with the management of the pilot project contract. Existing data provided a preliminary analysis; a more complete analysis should be undertaken while the pilot project is in progress.
6. **Sensitivity Analyses:** The analyses use a number of assumptions which guide the outputs of the financial model. To ensure the credibility of expected benefits, low, medium and high cost cases were developed using different assumptions to stress-test model results.

## SENSITIVITY ANALYSIS - CONSULTANT

A Sensitivity Analysis was undertaken by a consultant to determine how sensitive the financial analysis is to variations in the underlying assumptions. This approach demonstrates how the financial assumptions will vary when the underlying costs differ from what was projected. For example, running the financial analysis for the low, medium and high scenarios tests the project's robustness under varying assumptions and provides a level of confidence that the implementation of the pilot project remains viable under a range of potential conditions.

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Initially, for purposes of analysis, three scenarios were defined, developed and analyzed:

- Low Contractor Wages
- Medium Contractor Wages
- High Contractor Wages

These three scenarios are intended to address the variables that have the largest impact on the pilot project benefits and costs in order to capture the full range of possible pilot project outcomes. Tables 7-9 below define the scenarios. The three scenarios are defined by the numbers contained within the Annex A Ram Model.

The financial assumptions of the consultant for this business case applied existing known costs from the CBSA, costs identified in the Identification and Assessment of Options for the Escort Program document, and costs associated with existing CBSA regional contracts. Variations in the underlying assumptions can sometimes have a significant impact on the pilot project's performance and results. The key business case assumptions are outlined below:

- Escorted Removal costs are itemized and displayed over a three-year period;
- Pilot project is implemented in three regions (i.e. GTA, Pacific, and Quebec) and is completed within 9 months.
- Inflation rate of 2% is assumed annually over the period;
- Ongoing costs related to Escorted Removal program include salary and overtime;
- FTE equivalents are based on the various production hours for an IEO each year (excluding vacation time/leave – 1950 hours approximately);
- Some numbers may differ slightly between existing numbers, low, medium and high scenarios based on existing private security guard costs;
- Forecasts were done using numbers provided by the CBSA and various CBSA contracts; and numbers from all regional CBSA offices.
- IEOs currently conducting escorted removals will be available to perform more high-value skilled duties such as investigations, arrests, detentions and high risk removals.

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<b>TABLE 7: LOW SCENARIO</b>				
<b>IEOs vs. Lower Case Comparison</b>				
<b>Table 1: CBSA to Maintain Service Level Standard and hires NEW IEOs (Calculations are based on one IEOs overtime calculations)</b>				
<b>Costs with .02 inflation added yearly. Year 1 numbers are based on actual costs for 2011-2012 (see Tables 2-3 on page 10-11)</b>				
Costs for 25.34 new IEOs	Year 1	Year 2	Year 3	Total
Salary \$ for 25.34 new IEOs Conducting Escorted Removals Regular Hours	\$1,150,466.07	\$1,173,469.39	\$1,196,938.78	\$3,520,874.24
IEO Accommodations Per Diem and Incidentals Expenses including flights	\$4,206,664	\$4,290,797.28	\$4,376,613.13	\$12,874,074.41
Overtime = Hr. x \$51.03	\$1,350,397	\$1,377,404.23	\$1,404,952.33	\$4,132,753.56
<b>Total Cost if CBSA brings new staff or continues using overtime as a means to fulfill the mandate</b>	<b>\$6,707,527.07</b>	<b>\$6,841,670.90</b>	<b>\$6,978,504.24</b>	<b>\$20,527,702.21</b>
<b>Table 2: CBSA to Conduct with Private Contractors (PC) (see Table 4.1)</b>				
Costs for 25.34 Private Contractors (PC)	Year 1	Year 2	Year 3	Total
Salary \$ for 25.34 PC Conducting the Escorted Removals Function – Regular Hours	\$505,158.66	\$515,261.83	\$525,567.07	\$1,545,987.56
PC Accommodations Per Diem and Incidentals Expenses and Flights	\$3,849,223	\$3,926,207.46	\$4,004,731.61	\$11,780,162.07
(PC) Overtime = Hr. x \$30.71	\$889,637.99	\$907,430.25	\$925,578.87	\$2,722,647.11
<b>Total Cost if CBSA uses PC</b>	<b>\$5,244,019.65</b>	<b>\$5,348,899.54</b>	<b>\$5,455,877.55</b>	<b>\$16,048,796.74</b>
	<b>\$1,463,507</b>	<b>\$1,492,771.36</b>	<b>\$1,522,626.69</b>	<b>\$4,478,905.47</b>
Deficit/Surplus New IEO Compared to Lower PC				
<b>Savings %</b>	<b>22%</b>	<b>22%</b>	<b>22%</b>	<b>22%</b>

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**TABLE 8: MEDIUM SCENARIO**

IEOs vs. Medium Case Comparison

**Table 1: CBSA to Maintain Service Level Standard and hires NEW IEOs (Calculations are based on one IEOs overtime calculations)**

Costs for 25.34 new IEOs	Year 1	Year 2	Year 3	Total
Salary \$ for 25.34 new IEOs	\$1,150,466.07	\$1,173,469.39	\$1,196,938.78	\$3,520,874.24
Conducting Escorted Removals Regular Hours				
IEO Accommodations Per Diem and Incidentals Expenses including flights	\$4,206,664	\$4,290,797.28	\$4,376,613.13	\$12,874,074.41
Overtime = Hr. x \$51.03	\$1,350,397	\$1,377,404.23	\$1,404,952.33	\$4,132,753.56
<b>Total Cost if CBSA brings new staff or continues using overtime as a means to fulfill the mandate</b>	<b>\$6,707,527.07</b>	<b>\$6,841,670.90</b>	<b>\$6,978,504.24</b>	<b>\$20,527,702.21</b>
Costs for 25.34 Private Contractors (PC)	Year 1	Year 2	Year 3	Total
Salary \$ for 25.34 PC	\$663,838.20	\$677,114.96	\$690,660.26	\$2,031,613.42
PSC Accommodations Per Diem and Incidentals Expenses	\$3,849,223	\$3,926,207.46	\$4,004,731.61	\$11,780,162.07
(PC) Overtime = Hr. x \$40.35	\$1,161,889.15	\$1,185,126.93	\$1,208,829.47	\$3,555,845.55
<b>Total Cost if CBSA uses PC</b>	<b>\$5,674,950.35</b>	<b>\$5,788,449.35</b>	<b>\$5,901,948.36</b>	<b>\$17,365,348.06</b>
<b>Deficit/Surplus New IEO Compared to Medium PC</b>	<b>\$1,032,576.72</b>	<b>\$1,053,221.55</b>	<b>\$1,076,555.88</b>	<b>\$3,162,354.15</b>
<b>Savings %</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	

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**TABLE 9: HIGH SCENARIO**

IEOs vs. High Salary Case Comparison

**Table 1: CBSA to Maintain Service Level Standard and hires NEW IEOs based on one IEOs overtime calculations)**

Costs for 25.34 new IEOs	Year 1	Year 2	Year 3	Total
Salary \$ for 25.34 new IEOs	\$1,150,466.07	\$1,173,469.39	\$1,196,938.78	\$3,520,874.24
Conducting Escorted Removals Regular Hours				
IEO Accommodations Per Diem and Incidentals Expenses including flights	\$4,206,664	\$4,290,797.28	\$4,376,613.13	\$12,874,074.41
Overtime = Hr. x \$51.03	\$1,350,397	\$1,377,404.23	\$1,404,952.33	\$4,132,753.56
<b>Total Cost if CBSA brings new staff or continues using overtime as a means to fulfill the mandate</b>	<b>\$6,707,527.07</b>	<b>\$6,841,670.90</b>	<b>\$6,978,504.24</b>	<b>\$20,527,702.21</b>

Costs for 25.34 Private Contractors (PC)	Year 1	Year 2	Year 3	Total
Salary \$ for 25.34 PC	\$674,202.96	\$687,687.02	\$701,440.76	\$2,063,330.74
PC Accommodations Per Diem and Incidentals Expenses	\$3,849,223	\$3,926,207.46	\$4,004,731.61	\$11,780,162.07
(PC) Overtime = Hr. x \$40.98	\$1,187,149.63	\$1,210,892.61	\$1,235,110.46	\$3,633,152.69
<b>Total Cost if CBSA Uses PC</b>	<b>\$5,710,575.09</b>	<b>\$1,343,508</b>	<b>\$1,370,379</b>	<b>\$17,476,645.50</b>

Results

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	<b>\$996,951.48</b>	<b>\$1,016,883.81</b>	<b>\$1,032,221.41</b>	<b>\$3,051,056.71</b>
Deficit/Surplus New IEO Compared to High				
Savings %	15%	15%	15%	15%

**Assumptions:**

1. Based on IEO existing salary and overtime rates
2. Savings based on comparison between new IEOs vs. new PC at high, medium and low wage rate
3. Inflation rate of 2% applied
4. Pro-rated additional FTE and PC on existing CBSA calculated hours and overtime hours
5. IEO Accommodations Per Diem and Incidentals Expenses as per CBSA existing rates
6. PC Accommodations Per Diem and Incidentals Expenses as per CBSA existing rate
7. PC Flight costs calculated assuming that economy class would be used inbound and outbound
8. Hours broken down between OT hours and Regulars Hours is a formula based on actual dollars spent in 2011-2012 broken into a percentage of 46% of all escort hours being regular hours and 54% of all escort hours being OT hours.

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## SUMMARY OF CONSULTANT'S SENSITIVITY ANALYSIS

Under the three scenarios, cost savings are achieved due to lower wages, overtime and travel costs. The lower cost scenario allows for a positive transition and a savings benefit of approximately 22% for the CBSA. The medium cost savings is 15% savings, while the high cost scenario results in 15% savings.

In summary, the results demonstrate that even if an unrealistic set of conditions are applied; there is positive value to the CBSA to implementing the pilot project. Cost fluctuations between the models are due to variations in private sector wages and operational costs. Efficiencies can be gained by outsourcing the escorted removal function to the private sector. Table 10 summarizes the cost savings of each scenario for 2011-2012.

**Table 10: Summary of CBSA Costs Savings Considering Different Scenarios (%)**

Case	Cost Savings (%)
Low	22
Medium	15
High	15

In addition to the above financial savings, the pilot project implementation will also meet the desired outcomes and performance measures found in Table 4.

**FURTHER SENSITIVITY ANALYSIS BY CBSA – A CLEAR BREAKDOWN OF MAIN COST COMPONENTS**

In addition to the above analysis, further analysis has been undertaken by the CBSA, using a complete breakdown of costs of sample escorts in the four major regions that are performing international escorted removals: Quebec, GTA, Pacific and Prairies. The costs were compared with that of the existing contractors (guard services contracts in Quebec, the GTA and the Pacific regions), and other public sector employees, as if they had performed the same escorted removals. Low cost, medium cost and high cost escorts were broken down into the components of escort airfare in one group, and salary and overtime in another group.

Sample escorts from each region, that took place in 2011-2012, were analysed in three categories. The "High Cost Escort" category includes sample escorts that were higher than the region's per-escort average. "Medium Cost Escort" includes examples in the same range as the region's per-escort average.

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"Low Cost Escort" includes examples that were lower than the region's per-escort average. The sample escorts in each region involved the standard two IEOs and reflect each Region's costs for escorts to similar destinations.

The same contractor wages used by the consultant in the previous analysis were used in this comparison. As well, the median salary of Canadian Forces Military Police was considered. Some of the primary responsibilities of the Military Police are: to coordinate tasks related to persons held in custody (including military detainees and prisoners of war); and to provide security services to specific Canadian Foreign Missions, protecting Canadian personnel and property.

In addition, the salary at the FB-02 level was included as a comparison. Currently, positions at the FB-02 level include Trainee Border Services Officers and Junior Program Officers. This classification level was included in the scenarios in consideration that a specific "Escort Officer" position may, hypothetically, be created at the FB-02 level, as escorting violators from Canada is only one of the many key activities of an IEO at the FB-3 level. If a separate position is created, there would be minimal impact on other core activities of inland enforcement, and these escort officers could accelerate the removals process as they would be dedicated to this work and not have other demands on their time.

Other regions have not been included in this analysis. The GTA region is responsible for both SOR and NOR overseas escorted removals. Similarly, the Quebec region is responsible for overseas escorted removals from the Atlantic region.

The actual airfare for each sample escort has been compared with an estimate of what the airfare would have been had the airline tickets been purchased for economy class only. For the purposes of this comparison, approximate prices were obtained online, from Expedia.ca, for return economy class tickets in September 2013, from each region to the same destinations. Expedia was used for ease of reference, as it is the world's leading online travel site, with the latest technology and a wide selection of flights, and its fares are reflective of the lowest available fares in the industry. The approximate economy fares were obtained in consideration that removals may not transit certain cities, such as London/UK or the United States.

It has been acknowledged that the difference in price between economy class and business class air travel is typically substantial. This comparison reflects what is typical in the travel industry. Business class tickets on most airlines costs at least twice as much and possibly five to ten times more than an economy ticket. Because escorted removals are frequently to destinations that require long haul flights, it is evident that the requirement for business class air travel for government employees who fly in excess of nine hours is a major contributor to the cost of escorted removals.

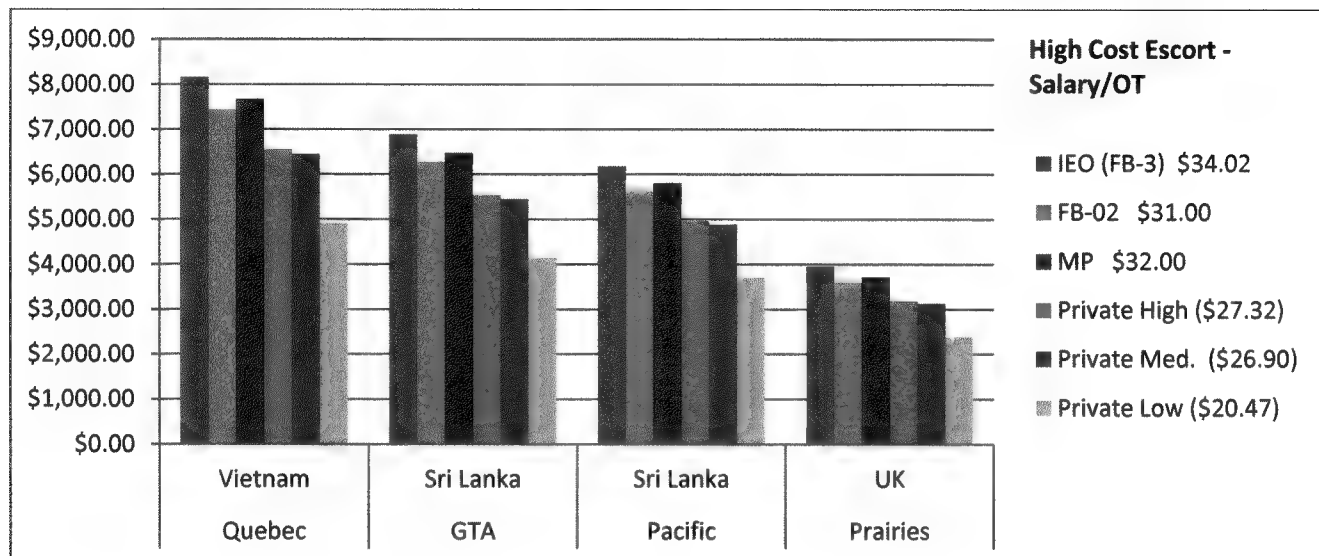
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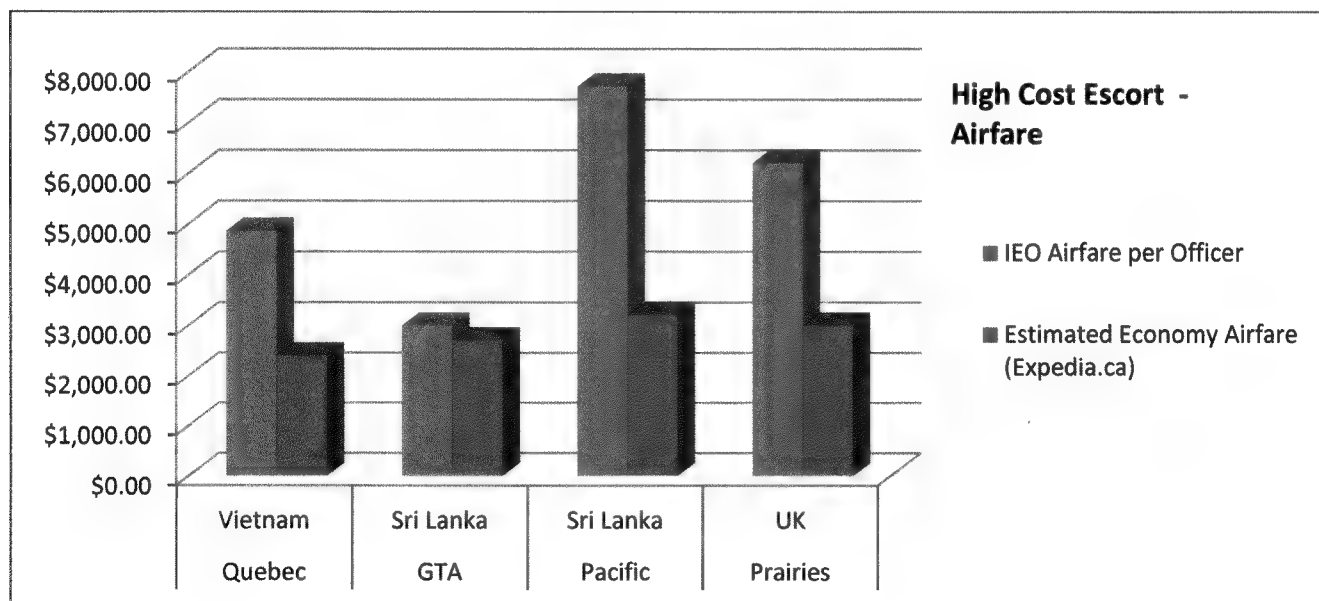
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**Figure 9: Sample High Cost Escorts, Officers vs. Private Contractors, Salary/OT**



**Figure 10: Sample High Cost Escorts, Officers vs. Private Contractors, Airfare**



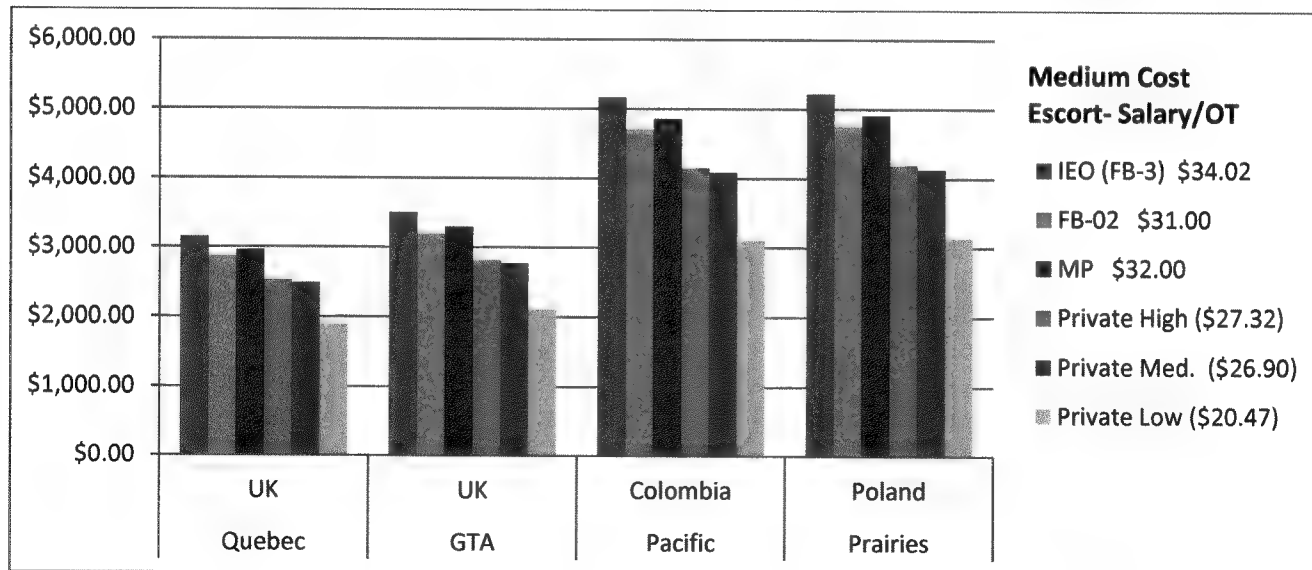
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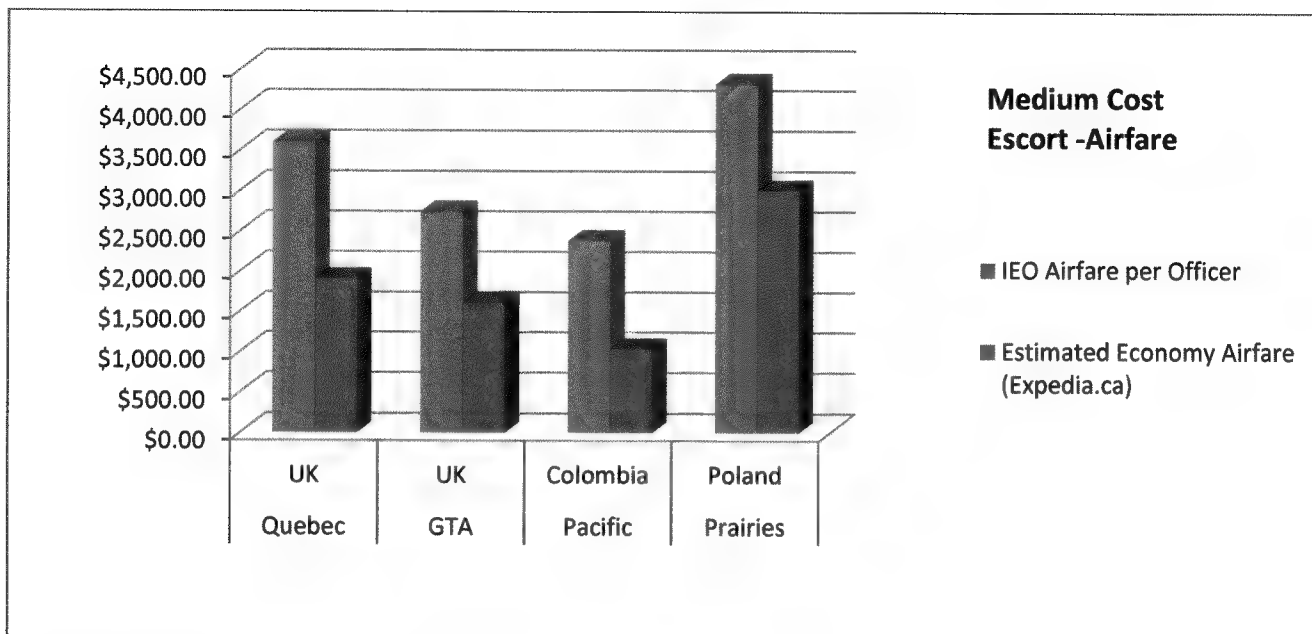
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**Figure 11: Sample Medium Cost Escorts, Officers vs. Private Contractors, Salary/OT**



**Figure 12: Sample Medium Cost Escorts, Officers vs. Private Contractors, Airfare**



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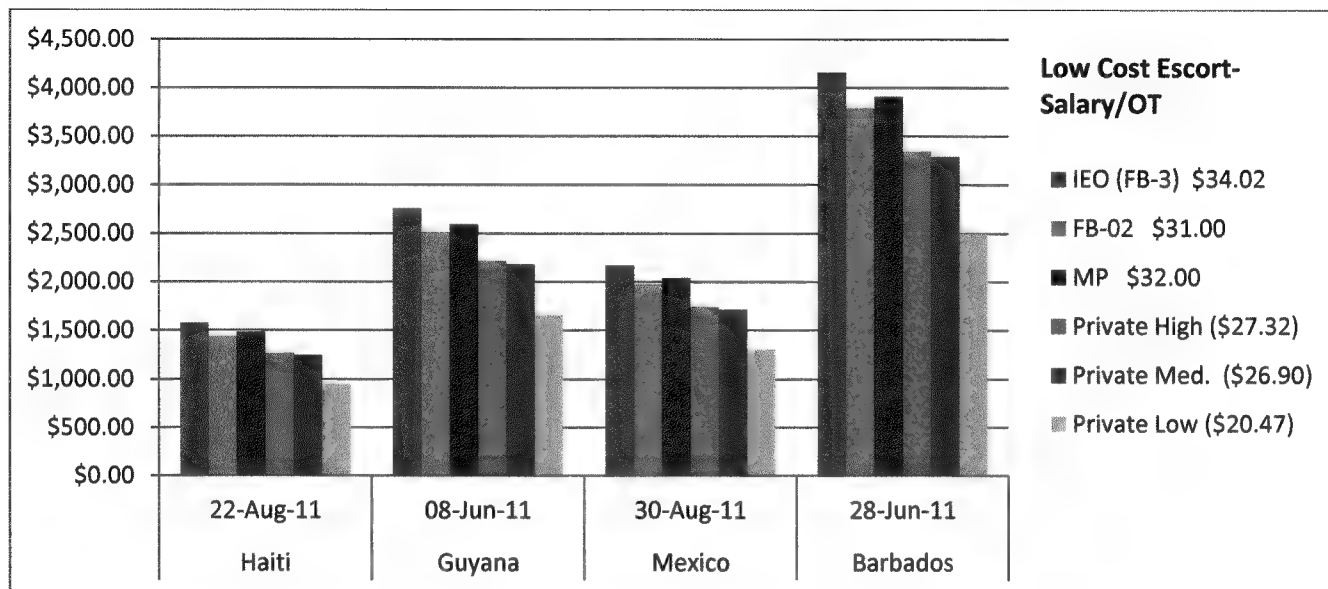




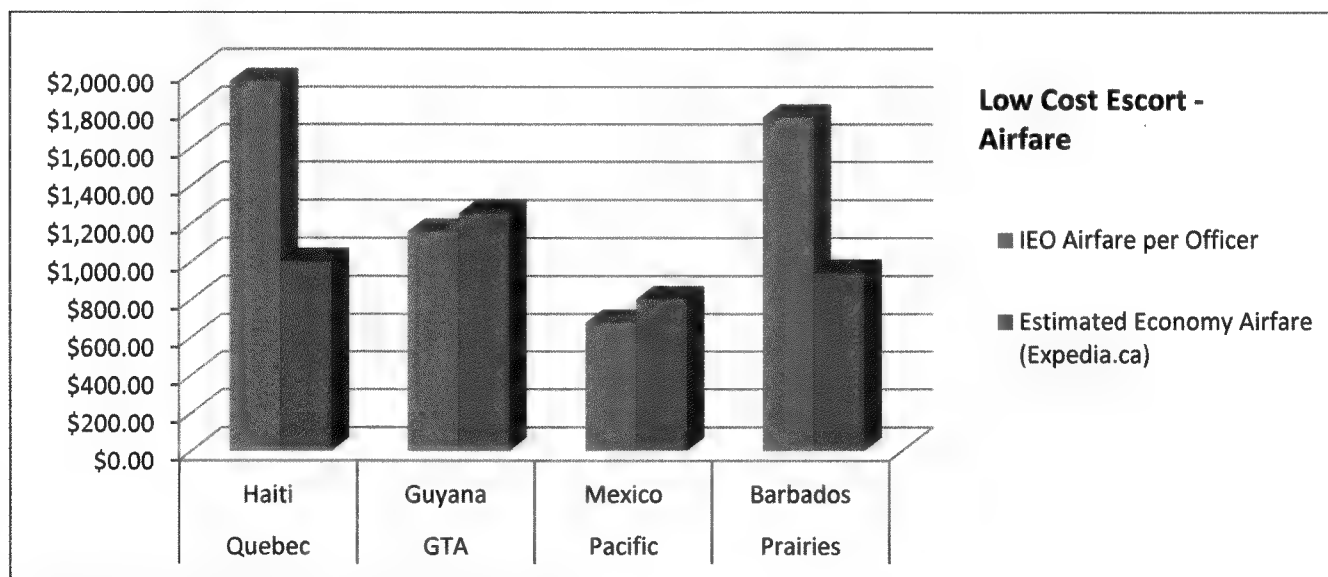
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**Figure 13: Sample Low Cost Escorts, Officers vs. Private Contractors, Salary/OT**



**Figure 14: Sample Low Cost Escorts, Officers vs. Private Contractors, Airfare**



- FB salary Border Services Collective Agreement effective June 20, 2010.
- MP - Canadian Forces Military Police (CFMP) - median salary - <http://www.forces.ca>
- Private High - 2012 salary as per contract of Genesis Security Group with CBSA Pacific Region
- Private Medium - 2012 salary as per contract of Garda Security with CBSA Quebec Region
- Private Low - 2012 salary as per contract of G4S with CBSA GTA Region

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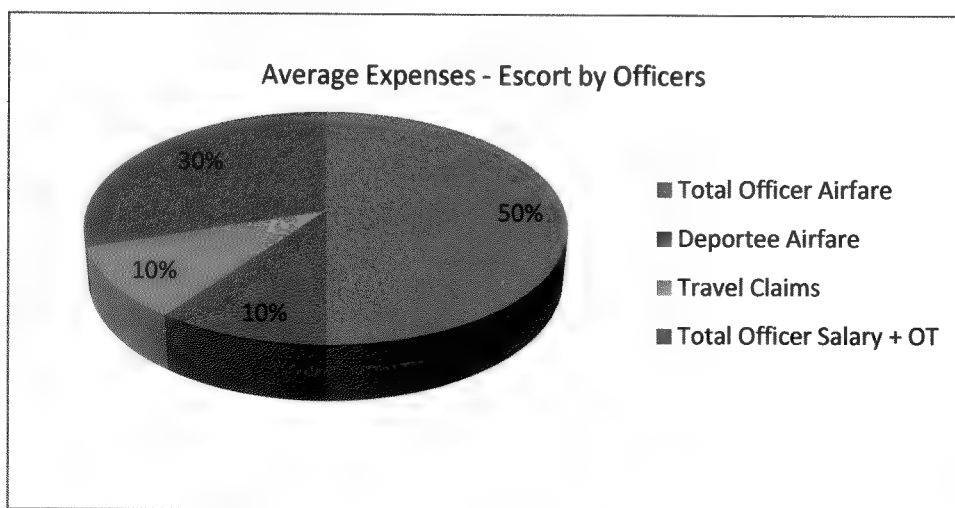


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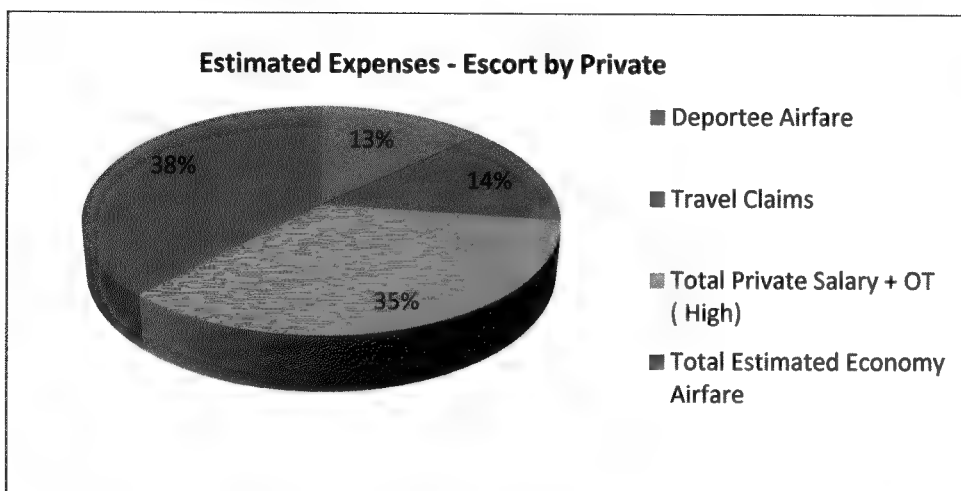
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The bulk of the savings would arise out of the contracting process, as the contractor is not bound by the Collective Agreement and the Government of Canada's Treasury Board's Travel Directive. In addition to lower salary and overtime expenses, the airfare for private contractors will be significantly lower if the airfare is restricted to the lowest economy fares and if there are no provisions for business class fares. Instead of comprising 50% of all escort expenses, as in the case of Escort Officers, airfare expenses would only make up 38% of the escort expenses associated with an escort by private contractor.

**Figure 15: Average Expenses – Escort by Officers**



**Figure 16: Average Expenses – Escort by Private Contractor (High Salary Scenario)**



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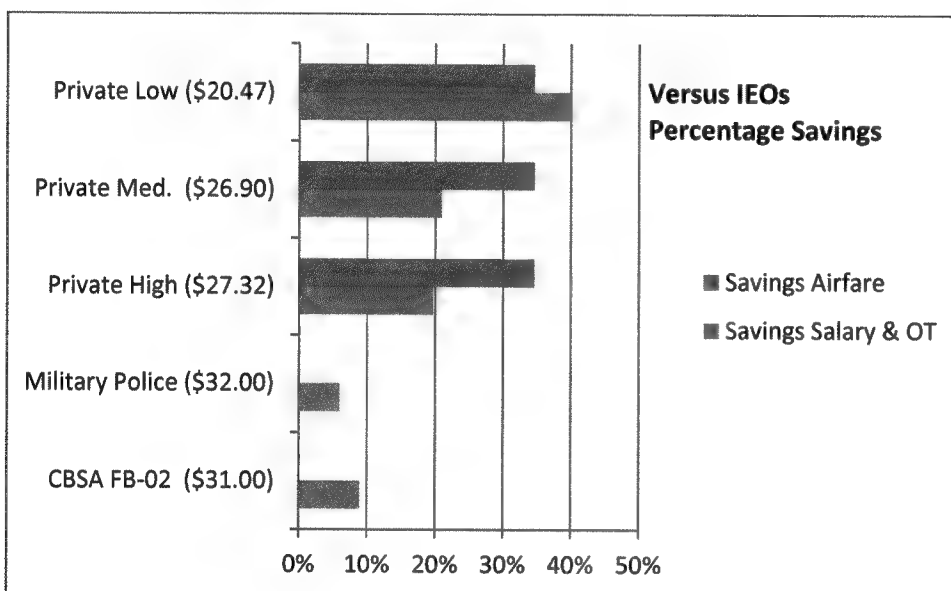
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## SUMMARY OF CBSA'S SENSITIVITY ANALYSIS

Based upon the sample escorts and scenarios above, there is a significant decrease in wages and airfare costs should the escort function be outsourced to private contractors. Figure 17 shows the percentage of the difference between the costs associated with IEOs as escort officers, and the three private contractor scenarios and other public sector positions. Overall, the use of private contractors would result in savings between 20% and 40%.

**Figure 17: Percentage Savings over IEOs' Salary/OT and Airfare**



If airfare is 50% of escorted removal costs when an officer carries out the escort, and Salary and OT are 30%, and given that escorts comprise 34% of the Agency's travel costs, the overall savings in agency travel costs is found to be between 8 and 10%. The amount of savings would depend on the salary of the private contractor, and is based on the assumption that business class travel would be eliminated.

This is significantly more savings than if an escort officer position is created at a lower classification level or if the function were contracted out to another government department, such as the military. The assumption has been made that the same or similar travel provisions would apply to public sector employees, such as the Travel Directive. Therefore, due to higher salaries and the possibility of business class travel, FB-02 and Military Police scenarios result in an overall savings of less than 1%.

Other potential savings that could arise out of the contracting process are not included. Since the established meal and incidental allowances provided in the Travel Directive would not apply, there may

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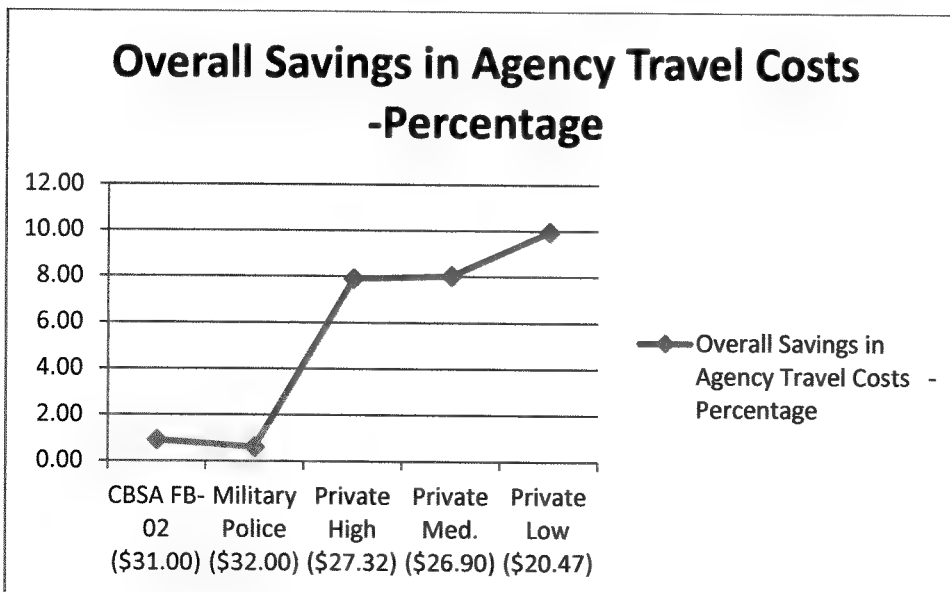
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be savings in travel expenses. However, controls would need to be imposed to ensure that the contractor's spending on accommodation, meals and incidentals is within established limits.

When both the analysis of the consultant and the further cost breakdown is considered, outsourcing the escorted removals function would allow the CBSA to not only meet, but exceed its obligation to reduce its expenditure with respect to non-discretionary travel for escorted removals.

**Figure 18: Percentage Overall Savings in Agency Travel Costs**



## COSTS OF THE CONTRACT GOVERNANCE TEAM

As part of this financial analysis, as a whole, the outsourcing of the escorted removal function will require investment of staff and funds from the EIOD and Comptrollership Branches. This investment is essential to establish a Contract Governance team who will manage the contract, ensure the integrity of the escort removal function, maintain clear lines of roles and responsibilities and ensure management oversight. Table 11 indicates a preliminary cost breakdown for the Contract Governance team. This cost is in addition to existing costs for CBSA, which are shown in Table 2.

**Table 11: Costs for Contract Governance Team - Costs from Enforcement and Intelligence Operations Division and Comptrollership branch, 2011-2012**

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Contract Governance Team	Team Member	Lead	Support	Total
<b>CBSA Contract Manager</b>	Comptrollership	✓	✓	\$40,000
<b>CBSA Regional Contract Manager</b>	Regions	✓	✓	\$60,000 x 3 = \$180,000/20% =\$36,000
<b>CBSA HQ Manager</b>			✓	\$20,000
<b>CBSA HQ Director</b>			✓	\$10,000
<b>Sub-Total</b>				\$106,000
<b>Private Security Contract Manager</b>		✓		\$65,000
<b>Total</b>				\$171,000

## ALTERNATIVES TO OUTSOURCING: IMPROVEMENT OF THE ESCORTED REMOVALS PROGRAM

The case for outsourcing the escorted removals function has already been met, but there are certain implications for the agency should this option be selected, as it would have long-term effects. The procurement process and labour relations issues may result in a delay before any savings are realized or become evident. Therefore, the Escorted Removals Program has been reviewed and opportunities have been identified that may be implemented in a short timeframe and without any legislative changes.

In the analysis of escort costs across the regions, it has been observed that the GTA region has implemented efficient operational procedures, due to its lower average escort costs. The consultant that performed the initial sensitivity analysis suggested that hubs be established in three regions in order to centralize escorted removals (Pacific, GTA, and Quebec). It was recommended that current procedures and processes be reviewed in order to document current best practices across regions.

This option looks at changing the way which the CBSA conducts its escorted removals. To continue to carry out more removals with existing enforcement resources, CBSA must innovate and address inefficient practices.

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### REVIEW OF THE ESCORTED REMOVALS PROGRAM

A review of the escorted removals program has been conducted in order to identify certain best practices that, if implemented consistently in each region, can make the program more efficient and contribute to the reduction of expenses related to escorted removals. A survey was conducted and responses from the regions regarding the key aspects of the program have shown that the practices in the regions are not consistent. These inconsistencies may be due to either gaps in the operational manual or misunderstandings regarding the instructions provided in the manual. There is a lack of standard operating procedures that would guide the regions to ensure that they are incurring the lowest possible expenditures for travel.

The key aspects where inconsistencies were found, and where best practices may be implemented, include:

1. Approval level for the assignment of escorts to a removal.
2. Factors considered in the removal risk assessment process.
3. The process for the consideration of request for escorts.
4. The number of officers that are assigned to accompaniment escorts.
5. Consideration of alternatives to an accompaniment escort.
6. The number of officers that are assigned to risk-based escorts.
7. The assignment of new IEOs performing escorted removals.
8. Dealing with the airlines regarding airline security requirements.
9. Use of escorts to last transit.
10. The use of private contractors for transports.
11. Dealing with airline liabilities.
12. Scheduling timelines.
13. Arrangement of "tag" escorts.
14. Costing, selection and approval of itinerary options.
15. Selection of itinerary options that avoid business class travel.
16. Shift or schedule changes in order to reduce overtime.
17. Allowing the person under removal to purchase their own ticket.
18. Cost tracking and budget management.

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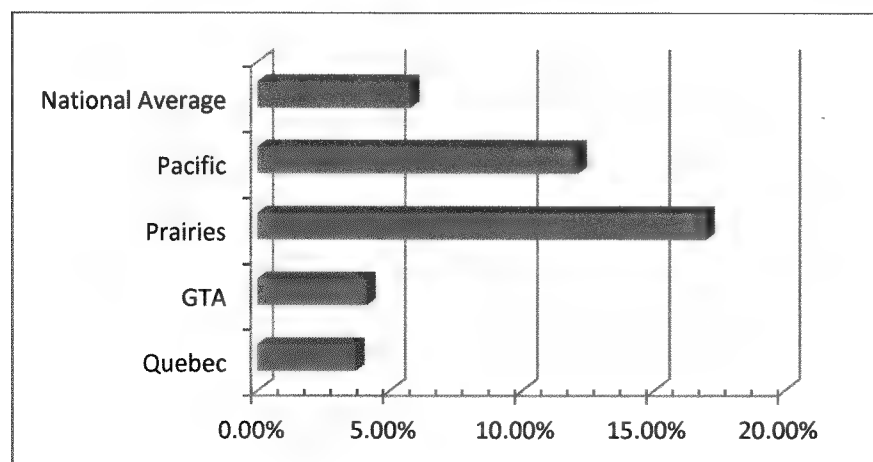


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**1. Approval level for the assignment of escorts to a removal**

Out of the total removals in each region, they have inconsistent rates of removals that are escorted. As shown in Figure 19, the Prairies and Pacific regions had significantly higher escort rates than the GTA and Pacific Region during 2012-2013. This major discrepancy signifies that the Prairies and Pacific regions may be assigning escort officers to removals that may, in fact, not require escorts.

**Figure 19: Percentage of Escorted Removals out of Total Removals, 2012-2013**

Regions have varying levels of approval for the assignment of escorts. In the GTA and Quebec regions, the Chief of Operations considers a removal risk assessment, and approves, or denies, a request for escorts. In the Prairies, the Director makes the decision whether escorts are approved, and in the Pacific, approval is at the Supervisor level.

In the Prairies, before the request goes to the Director, it is considered and approved by the Supervisor, then the Manager, then the Assistant Director. It has been shown that the increased number of levels of management considering escort requests in this Region may have led to a high rate of escorted removals.

On the other hand, in the Pacific, the approval level is at a lower management level than in the GTA and Quebec. A lower approval level may also have led to a higher rate of escorts.

**Recommendations:**

Currently, 6% of all removals are escorted. If the percentage of removals being escorted in the Pacific and the Prairies can be reduced to less than 5%, as it is currently in the GTA and Quebec regions, the number of escorted removals overall will be reduced.

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The delegated financial signing authority for approving foreign travel for escorted removals, according to the CBSA's current Financial Delegation Matrix for Field Offices, is at Management Level 4. As well, the Removal Risk Assessment/Escort Request form, BSF 512, requires the signature of a "Chief of Operations" for the approval or denial of escorts. Therefore, it is recommended, that the final decision to assign escorts to a removal be made at the Chief of Operations level. However, some of the regions' current organizational structure is such that they do not have Chiefs, but have Managers at the Management Level 4. Therefore, the approval or denial of an escort request should be at a minimum FB-06 level.

## 2. Factors considered in the Removal Risk Assessment Process

The inflated escort rates in the Pacific and Prairies regions also signify issues with the way escort requests are considered and approved, and the factors that lead to an approval. However, in all regions, the factors considered are, for the most part, thorough and consistent with what is indicated in the operational manual, ENF 10 Removals, Section 27.

### Recommendations:

In order to ensure that escorts are not assigned to removals that do not ultimately require escorts, and reduce the rate of removals being escorted, further guidance is required on a removal risk assessment. This guidance may be provided through the development of a specific operational manual or standard operating procedures for escorted removals, or revisions to ENF 10.

This guidance may be relayed by the management in regions with the lowest escort rates, who have experience making decisions in relation to escort requests. Some of the guidance below has come from managers in the GTA:

It is important that, when making a determination on an escort request that the current risk be contemplated. The person's current comportment regarding their immediately forthcoming removal and recent criminality should be considered. The essential question is: what potentially could happen on an aircraft or during transit if the removal were to take place now? The person under removal may have been uncooperative in the past in their dealings with immigration authorities or law enforcement, but they may have been cooperative recently and are now expressing a strong willingness to return to their country of removal. However, if the person has recently made statements or is exhibiting behavior that is very aggressive, threatening, or has a strong unwillingness to return, this signals the requirement for escorts.

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Regarding criminality, convictions of offences involving weapons or violence would signify that escorts may be required. However, there are circumstances where persons with these convictions would not pose sufficient risk during removal that would require escorts. The timing of the offences and whether the person has committed these offences in recent years should be considered. As well, it should be considered whether or not the person would now pose a risk to the safety and security to the travelling public, transportation company personnel, or to the person themselves. For example, it may be considered whether the recent offences were committed against someone known to the person (i.e. domestic assault), or if they were committed against members of the public unknown to the person (victims were "random"). When reviewing the person's criminality, the punishment that was imposed for the offences may provide some guidance. For example, if a person was not sentenced to imprisonment or is sentenced to a punishment to be served in the community (conditional sentence order, probation), a determination was made by the judge regarding the seriousness of the offence or there was less risk that the person will re-offend.

Escorts may not be assigned based on substance abuse or based on drug offences alone. This factor should be considered together with other factors, such as violent or threatening behaviour. It should also be considered whether the person would have access to substances that would cause this behavior during their removal.

A removal risk assessment is ongoing. If there are any changes in the person's comportment or behavior up until boarding the aircraft, or new evidence of risk, then a decision to deny escorts may be changed to a decision to assign escorts.

It is recognized that some factors cause escorts to be mandatory, such as the use of a Single Journey Document, airline requirements, the requirements of the destination country, or the requirements of the transit country. However, efforts should be made to develop any possible alternatives or agreements that would mitigate these requirements.

### 3. The process for the consideration of request for escorts

The Pacific regions has indicated that the decision maker rarely speaks with the removal officer who is making the escort request, while in the other regions, the decision maker usually validates the information provided or seeks clarification by discussing the request with the officer.

The decision makers in all regions review the file and systems (NCMS/FOSS) in addition to the escort request form.

In the Prairies region, as indicated above, the request is considered and discussed through many management levels, which has led to a higher approval rate.

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In Quebec region, which has the lowest escort rate, the written information provided for the removal risk assessment and escort request is always validated by speaking with the removals officer submitting the request. The officers are aware of the criteria for escorts, therefore escort requests are rarely denied.

### Recommendations:

Unless escorts are mandatory (because of airline/destination/TD requirements or recent criminality that provides evidence of sufficient risk), the decision maker should discuss the case with the removals officer and ask all pertinent questions in order to validate the information provided, provide clarification and discuss the person's current comportment. In order to determine the person's current demeanour, removals officer should interview the person and discuss their imminent removal and their preparation for removal, prior to submitting the request for escorts.

It is also recommended that removals officers be trained on removal risk assessments so that their degree of knowledge regarding the applicable considerations is equivalent to that of the decision maker. This is so that officers are presenting escort requests to the decision maker only when necessary.

## **4. The number of officers that are assigned to accompaniment escorts**

In the Quebec region and the Prairies, at least two officers are always assigned to removals where an escort is required, even if only an accompaniment escort is required. In GTA and Pacific, only one officer is assigned to accompaniment escorts, which comprised 1-2% of all escorted removals in these regions. Examples include removals of mentally disabled persons (who may need assistance with negotiating a transit), families with multiple infants or children with behavioural issues, elderly persons, and unaccompanied minors.

In the Atlantic regions, where officers transport persons to Montreal or the US border for removal, two officers are always assigned.

The Prairies have indicated that the reason that they always assign two officers is because all removals involve some risk and, even if the risk is low, officers will not travel by themselves with a person being removed. The "doubling up initiative" was cited as the reason for this.

In situations where the need to accompany a person is dictated by transit requirements or to meet certain requirements imposed by the destination country or airline, one officer is assigned in the Pacific region, whereas two officers are assigned in all of the other regions.

### Recommendations:

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As per the operational manual, in situations where there is not sufficient risk to warrant an escorted removal but a CBSA presence is required, and no alternative routing is available, only one escort officer is to be assigned. The Pacific and GTA regions have followed these guidelines and are able to carry out successful accompaniment escorts with one escort officer, therefore the other regions must follow suit.

The CBSA's Doubling Up Initiative applies only to CBSA Ports of Entry. It does not include inland offices, inland removals or IEOs. However, the Doubling Up Initiative may provide an indication of the expectations of all CBSA officers. Officers in work-alone situations may employ the risk mitigation strategy described in the Doubling Up Policy. The policy goes on to state that this strategy requires officers to exercise their judgement in assessing the risk related to any duties they may be required to perform. Accordingly, it is expected that, in work-alone situations, certain tasks may be conducted based on an ongoing assessment of the risk involved. An officer may withdraw from activities they believe present an unreasonable risk.

The escort risk assessment is on-going and it is the responsibility of the officer to provide any new information, at any point in the removal process, to the manager in order to make a determination whether the risk is sufficient to warrant two (or more) escort officers.

In situations where the airline requires the presence of an escort officer (but the CBSA has determined that there is not sufficient risk to warrant an escort), according to the operational manual, one officer of the same sex should be assigned to accompany the person to their destination. If it is more cost-effective, efforts should be made to find alternative routings to remove persons without an escort. Pacific Region has successfully assigned one escort officer to removals in this type of situation. Therefore, if there is no alternative and the airline requires an escort, it should not be assumed that the airline requires two escort officers, unless it is confirmed with the airline that removal with one escort officer is not acceptable.

### **5. Consideration of alternatives to an accompaniment escort**

The Pacific and GTA regions have advised that, when the person under removal requires assistance but risk is not sufficient to warrant the assignment of two or more officers, and a CBSA presence is not required, the possibility of having a friend, relative or social worker accompany the person on the flight is explored. The Prairies have indicated that they also consider this but if the friend, relative or social worker is not willing to purchase their own ticket or requires compensation, arrangements are made for officers to escort the person. In the GTA, the Chief of Operations may authorize the purchase of a return ticket for the person accompanying the person under removal, instead of having an escort officer accompany the person.

#### Recommendations:

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Alternative arrangements should be made, where possible, in lieu of having an escort officer accompany a person under removal.

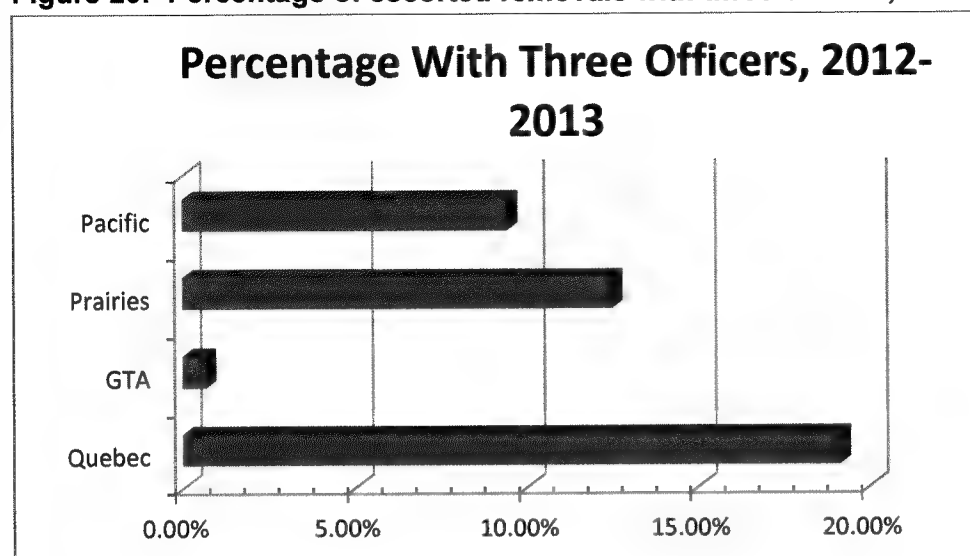
The Manager or Chief of Operations may approve the purchase of an economy-class return ticket for the facilitator, at the lowest available fares, if the total expenditure will be less than it would be if an escort officer were assigned to the removal. No other compensation for the facilitator shall be approved.

Other alternatives should also be explored. Accompaniment services i.e., airline services for minors or private non-medical accompaniment services may be retained when the expense is less than what would be incurred by assigning an escort officer. Arrangements may be made with the airline crew and reception at the destination to assist the person.

## 6. The number of officers that are assigned to risk-based escorts

As shown in Figure 20, 19% of all escorted removals in the Quebec Region were carried out by three escort officers. 12% of escorts in the Prairies region were performed by three officers assigned to one person under removal, while in the Pacific region, 9% of escorted removals involved three officers. In the GTA region, three escort officers are rarely assigned to a removal, less than 1% of the time.

**Figure 20: Percentage of escorted removals with three officers, 2012-2013**



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In the GTA region and the Prairies, the decision to assign three officers to an escorted removal, instead of the standard two officers, is made by the Director. In Quebec, the decision is made by the Chief of Operations, while in the Pacific, it is made by the Supervisor.

The GTA has indicated that three officers are assigned to an escort when violence is a high possibility, or when past attempts made with two officers were unsuccessful. In addition to these factors, the other regions assign three officers when there are multiple transit points, a longer trip, or long transits with no detention facilities available. However, the GTA region has been able to carry out escorts with multiple transit points, long trips to the destination that can be more than 24 hours, and with long transits, with only two escort officers.

### Recommendations:

The regions that have frequent escorted removals with three officers require additional guidance and clarification regarding when it is necessary to assign three officers to a removal. The practices of the GTA region may be used as a guide.

The decision to assign three escort officers to one removal should be made at the Director level. Three officers should only be assigned when absolutely necessary and in exceptional cases.

The assignment of more than two officers may be considered when there is a strong probability of violence based on the person's current behaviour and actions while in custody. However, instead of assigning three officers, consideration may be made to assign two officers who are experienced with controlling violent individuals, to use additional restraints as permitted by the airline and transit authorities, or to assign officer(s) who have built a rapport with the person under removal and have been able to control the person through tactical communication. (The person may have different behaviour with different individuals.)

The assignment of more than two officers may be considered, as a last resort, when a past attempt has been made with two officers. Where an attempt has not been made with two officers, the removal may proceed with two officers and an ongoing assessment of risk, up until departure.

The length of the trip, length and number of transits and availability of detention facilities are not prescribed factors when determining whether three officers are required, in isolation from the factors recommended above.

## **7. The assignment of new IEOs performing escorted removals**

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In the Pacific region, new IEOs are assigned to escorted removal as a third officer. Cost is not a consideration when assigning the officer to a specific escorted removal and these are not escorts where three officers are required. An experienced officer will be assigned to the removal in order to provide mentoring, and a manager is also assigned to the escort in order to monitor and make a determination whether the trainee's performance is satisfactory enough to perform escort duties.

In the other regions, new officers participate in the escorted removal as the second officer or "support officer", with an experienced officer as the lead. In the GTA, officers are assigned as a support officer after they have gained an adequate amount of experience and have demonstrated satisfactory performance in other IEO duties. The GTA region previously assigned new officers to escorts as a third, but no longer does so, as a result of a decision made by Labour Canada in November 2011, that resulted from a work refusal.

### Recommendation:

It was determined by Labour Canada that IEOs are required to successfully complete training in theoretical and practical application methods to safely transport subjects by aircrafts who are arrested, detained or required to be removed from Canada. It was determined that the Air Mode Transport or Transportation Control Tactics course extensively covers this training.

In addition to an escort training course, new officers may be given opportunities to gain experience with arrests and transports to detention facilities during their regular work day. Then once the officer has demonstrated satisfactory performance with these duties, the officer may then be assigned to an escort as a second/support officer, based on the provisions of the collective agreement regarding the assignment of overtime work. New officers may be assigned with an experienced officer as the lead, who is responsible for providing guidance to the support officer.

## **8. Dealing with the airlines regarding airline security requirements**

In situations where the CBSA has determined that there is insufficient risk to warrant an escorted removal, the regions do not automatically assign escort officers to the removal if it is assumed that the airline will require escorts. An example is when the person under removal has serious criminality, but the criminality does not present an immediate or sufficient level of risk and the person is cooperative and willing to return. The removals officers will contact the airlines in order to seek approval without escorts.

In the GTA and Pacific regions, when there is a difference of opinion, attempts may be made to speak with the airline's managers and security units. In the GTA, managers regularly set up meetings with

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airlines to discuss issues. In the Pacific region, if an airline refuses to carry the person without escorts, one escort officer will be assigned. The Prairies region has advised that they have good working relationships with the airlines, and rarely have a difference of opinion. However, the lack of issues they have with the airlines is noticeable when compared with other regions, as the rate of removals being escorted in the Prairies region is higher than in all of the other regions.

### Recommendations:

The CBSA should rely on its risk assessment to determine whether escorts are required and not that of the airlines. Alternative airlines should always be considered if escorts are not required, so that the persons are removed unescorted where possible.

If the CBSA determines through risk assessment that escorts are not required (low risk), but the airline requires escorts, one escort officer should be assigned as an Accompaniment Escort.

If there is a difference of opinion between CBSA and the airline, efforts should always be made by CBSA management to contact the airline's management to discuss and come to an agreement.

## **9. Use of escorts to last transit**

In all of the regions, it is considered whether the removal can be carried out successfully with escort officers to the last transit point (the person under removal travels unescorted on the final leg of the journey) and this is arranged, where possible, when the arrangement would result in lower expenditures.

## **10. The use of private contractors for transports**

In the Pacific region, contracted security guards transport all detained unescorted removals to the final departure point in Canada. CBSA officers are only used in place of guards during high risk removals.

In the GTA and Quebec regions, contracted security guards are also used to transport detained persons within Canada and perform confirmation of departures (CODs) for unescorted removals. CBSA officers are used in place of the guards when the person is not cooperative, presents a medium to high risk, or when it is a high profile or media case.

In the Prairies and the Atlantic region, CBSA officers conduct all transports within Canada and CODs for unescorted removals. In the Atlantic region, officers escort persons to Montreal for the removal and to the Port of Entry with the United States.

### Recommendations:

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Security guard contracts may be reviewed to ensure that guards are available and qualified to perform all transports of detained persons to the airport of departure and all CODs for unescorted removals. The transport and removal workload in the Prairies and Atlantic regions should be reviewed to determine whether contracting guards for transports and CODs would result in savings.

Adequate training should be provided and performance of the contractor reviewed and monitored so that CBSA officers are only used in very exceptional cases. The authority to approve the assignment of CBSA officers to transport a detained person to the point of departure or confirm the departure of an unescorted removal should rest with a manager.

### 11. Dealing with airline liabilities

When an airline is liable for the removal and CBSA officers are required to carry out the escorted removal, the airline is invoiced for all costs through the CBSA Transportation Unit. When an airline is no longer in operation and is therefore unable to carry out the removal, the reimbursement comes out of the airline's security deposit.

In all of the regions, CBSA officers have conducted the escorted removals on behalf of airlines that are still in operation. Many airlines who have their own security personnel or a security contract will arrange their own escorts. The GTA region has indicated that airlines will usually make their own arrangements and officers will rarely perform the escort when the airline is still operating. The Quebec region has advised that some airlines will provide their own escorts, but it is not the norm. Pacific region stated that CBSA officers will perform the escort when the airline is unwilling to because it is more cost effective for the airline to have the CBSA conduct the escort and bill them. The Prairies region has also performed escorts on behalf of operating airlines when they have asked them to, but have acknowledged that the funds recovered go into the general revenue and not back to the local removals budget.

#### Recommendations:

There are operational and possibly administrative costs when CBSA officers perform escorts when there is an airline liability, and these kinds of costs may not be reimbursed, as they are not easily quantified in an invoice. An example of an operational cost is that the officer is performing duties on behalf of an airline and is not available to perform duties for the CBSA. There are also the administrative costs related to booking the itinerary, processing the travel claims and invoicing the airline. As well, the compensation from the airline goes into general revenue and not to the local office. CBSA officers should only perform airline liability escorts when the airline is no longer operating. Operating airlines are responsible for contracting security personnel for escorted removals when it is their liability. In cases of an airline liability where the airline is reluctant to arrange the removal, CBSA officers or management may engage the

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airline's management. The CBSA should only agree to perform the escort on behalf of the airline in exceptional cases where the removal will not otherwise be carried out.

### 12. Scheduling timelines

Escorted removals are arranged in the regions anywhere from 48 hours to as much as one or two months in advance. The average lead time is 1 to 2 weeks. For the removals of detained federal offenders, there is more opportunity to book the removal well in advance. In the Pacific and Prairies regions, the removals of detained federal offenders are booked one to two months in advance, while in the Quebec and GTA regions these removals are booked a week or two before the person comes onto immigration hold.

#### Recommendations:

Lower airfares can be obtained at least 14 days in advance of departure. However, detainees must be removed as soon as possible in order to reduce detention costs. The cost of the airfare should be balanced with the cost of detention in order to arrive at the removal date that is the most cost effective, i.e. obtain airfare and overtime costs for the soonest available flights, then airfare/overtime costs for flights in 14 days, adding the detention costs to the later flights (daily detention cost x # of days) and selecting the lowest cost option overall.

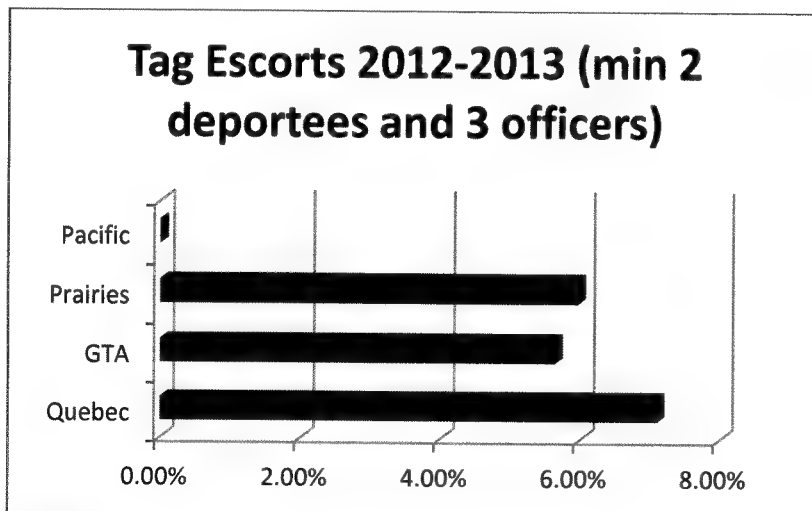
For released removals, the removal should be booked 14 days in advance where possible in order to take advantage of lower airfares. This is possible when there are no other significant factors that make a more expeditious removal necessary, such as expiry of travel documents or the expiry of the ban on making a PRRA application.

Removals of federal offenders should be reviewed far enough in advance so that the persons under removal can be otherwise removal ready i.e. PRRA completed, TD available, as soon as the release from serving sentence date is known (at least one month in advance of coming onto immigration hold.) The escort risk assessment should be conducted and submitted as soon as the release date is known. Every effort should be made to book the escort at least 14 days prior to the removal date in order to obtain the lowest fares. The removal date should be within 3 days of release in order to minimize detention costs.

### 13. Arrangement of "tag" escorts

The Prairies, GTA and Quebec regions have indicated that they arrange, whenever possible, for three officers to escort two persons under removal on the same flight (a "tag" escort). A "tag" reduces the number of escort officers required for removal (allows multiple removals to take place with less escort officers being assigned) and therefore reduces removal costs overall. The Pacific region has advised that they very rarely schedule tag escorts. The percentages of escorted removals that are "tag" escorts in the regions are expressed in Figure 21.

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**Figure 21: Percentage of escorted removals that are "Tags", 2012-2013**

The regions have advised that airline restrictions on the number of deportees that can be on the aircraft, as well as the difficulties in coordinating timely removals to the same destination at the same time, impede the arrangement of tag escorts. As well, high risk removals are usually not scheduled as tag escorts.

#### Recommendations:

Tag escorts should be arranged whenever possible in order to reduce the number of escort officers required for removals. Coordination amongst regions is required in order to maximize opportunities to reduce the number of officers that are travelling outside Canada. From other regions, the person under removal may be transported to the point of departure by CBSA officers or contracted security guards, where the multiple removals will proceed onwards with the reduced number of officers.

This coordination may take place through weekly reports to NHQ, where Senior Program Advisors or Officers would coordinate opportunities for tag escorts. The Enforcement and Intelligence Programs Directorate (EIPD), Programs Branch, and Enforcement and Intelligence Operations Directorate (EIOD), Operations Branch, are creating a Removals Center (RC). The objective of the RC is to better integrate and coordinate the efforts of regional removals units and headquarters, including providing superior governance of the removals function; concise and accurate reporting; and ensuring the best use of removals resources. The RC may be tasked with coordinating tag escorts between the regions, as the regions currently do not have a mechanism to share information regarding upcoming escorted removals and to cross-reference proposed removal dates and destinations.

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An alternative to this is to automate the arrangement of tag escorts through a central database (computer system) of escorted removals, where each region would be able to access a list of upcoming escorted removals with information on the proposed removal date and country of destination. This database may also be used facilitate the coordination of charters with multiple deportees.

Most tags by commercial air will be with two removals and three officers, as most airlines will accept two deportees with three escort officers on one flight. Complete information about airline restrictions should be compiled in order to guide the scheduling of tag removals. Airlines that are willing to accept more than two persons under removal, with the appropriate number of escort officers, may be discovered. Senior management in the regions or NHQ may enter into consultations with frequently-used airlines in efforts to reduce restrictions on the number of deportees.

### 14. Costing, selection and approval of itinerary options

Across the regions, there are some inconsistencies in the way the costs of escorted removals are assessed and itineraries are selected. These inconsistencies may have led to the average escorted removal being more costly in the Pacific, Prairies and Quebec regions than they are in the GTA. However, in all regions, there is room for improvement to this process.

In all of the regions except the Pacific Region, all costs are considered and balanced, including overtime, airfare, detention costs and travel expenses.

In the Prairies region, which has the highest average costs, the removals officer consults with the AMEX travel consultant by phone or by e-mail and selects the lowest cost option. The option and its costs are then provided to the Manager along with the Escort Request. The officer then discusses the option selected with the Manager and input is obtained from the Escort Officers (i.e., when agreeing to waive rest periods). This region indicated that it has been a challenge to work with the AMEX Travel Advisor over the phone and e-mail.

In the Pacific region, which has the second highest average escort costs, the on-site AMEX Travel Advisor searches for the lowest cost airfare options with the fewest transits and these options are provided to the Supervisor, who selects and approves the itinerary. Only the airfare is considered in the costing.

In the GTA and Quebec regions, which have lower average escort costs, the on-site AMEX Travel Advisors are consulted regarding itinerary options, but ultimately the Supervisor or Chief of Operations considers the costing and selects the itinerary. MS Excel is used for costing itineraries.

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From time to time, the only feasible itinerary options are at a significantly higher cost. In the GTA and Quebec regions, itineraries over a specific cost threshold (i.e. \$20,000 in the GTA region) will be subject to the approval of the Chief of Operations. In the other regions, the approval of the Manager, Assistant Director or Director will be sought for high-cost itineraries.

Even though the GTA has the lowest average escort costs, it is the only region that does not consider alternate departure points out of Canada. The international flights will usually depart out of the regional airport.

The regions have advised that they use discount carriers such as Air Transat and carriers that have transferable credits, such as WestJet, where and when it is possible. However, the Prairies region indicated that WestJet is rarely available for flights outside of Canada and the United States. The GTA region has stated that there have been issues with using WestJet to transit Trinidad. The Atlantic advises that itinerary options using WestJet would increase officer overtime. The Quebec region indicated that there are no discount carriers available in this region that would accept persons under removal.

### Recommendations:

In the Prairies, an officer selects the itinerary and there is no AMEX on-site travel advisor. This has resulted in higher average escort costs in the Prairies region. The Pacific region only considers airfare costs and their average escort costs are also higher.

Itinerary options may be researched by an AMEX travel advisor, manager or clerk. However the consideration of all available options and the selection of the itinerary must be at the management level (minimum FB-05) in order to manage the escort costs and the removals budget.

The Supervisor or Manager should be presented with all feasible itinerary options. Itinerary options are to include available departures from/returns to alternate Canadian cities. Multiple options for escort officer return should be presented in order to compare direct returns and those with multiple rest periods, in order to ensure lowest overall costs.

The costing of each itinerary option should be conducted through a computer program such as MS Excel in order to ensure accuracy. Costing must include all airfares (escort and deportee), all officer overtime and any extra detention costs for options with later dates. The lowest total cost option should be selected. When there is no significant difference in cost between options, then travel expenses, rest periods, length of flights/transit, necessity for visas and days away from the office may be considered in order to select the most cost effective itinerary.

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The Supervisor or Manager must ensure that all options are considered and that all options are documented. The Supervisor or Manager should document why itinerary options were not selected, not feasible or not available.

Officers should not be asked or allowed to waive rest periods where it would result in a higher escort costs overall.

Any itineraries in excess of \$20,000 should be subject to the approval of a more senior management level, by the Chief of Operations or Director (min. FB-07 level).

It is not feasible to assign an on-site travel advisor to the Prairies region. Therefore, consideration may be made to have their escort itineraries researched, selected and approved in the Pacific region, where the on-site travel advisor is located.

Discount carriers such as Air Transat and WestJet are to be used, whenever possible.

### **15. Selection of itinerary options that avoid business class travel**

The GTA region, in most cases, avoids booking flights longer than 9 hours that require business class air travel. Instead, rest periods are considered, in order to break up the return flight. Additional travel expenses and the time officers are away from the office are also considered, in order to select the lowest cost itinerary overall.

In other regions, given their survey responses and the fact that their average costs per escort are higher, it appears that a greater weight is given to the officers' missed productivity in their regular daily work than consideration of an escorted removal's overall costs. The Prairies region has advised that, operationally, they do not consider it an option to provide additional rest periods in order to avoid business class airfare. Their officers are required to be back in the office as soon as possible in order to arrange other removals.

#### Recommendations

Business class flights should be avoided, by breaking up the officers' return with additional rest periods. The cost of additional rest periods should be compared with what it would cost for more direct, business class flights.

In order to minimize the cost of these additional rest periods, hotels should be arranged near the airport, in order to minimize overtime and transportation costs, and the best hotel rates obtained. The Public Works and Government Services Canada (PWGSC) Accommodation Search website provides information on many hotels near airports at destinations in Canada, the USA and internationally, with reasonable government rates. For locations that are not included in this directory, the travel arranger may contact staff at the nearest Canadian Embassy for recommendations and assistance.

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The operational costs of officers being away from the office on escorts have been considered in the analysis for outsourcing escorts.

The Prairies region has indicated the most issues with staffing and officer availability. In order to alleviate this, the contracting out of local tasks such as domestic transports may be considered, or escorted removals from this region may be arranged and conducted by other regions that have more officers available to perform escorts.

### **16. Shift or schedule changes in order to reduce overtime.**

In the Pacific and GTA regions, IEOs are shift workers. In the Pacific, if there is at least seven days' notice, the escort officers' shift or day of rest is changed in order to reduce overtime hours. In the GTA region, the officers' shifts are changed if the flight departs later in the day, during the evening or overnight, so that officers are not working a day shift before departing on an overnight flight or on overtime.

In the Quebec region, IEOs are day workers. However the escort officers' schedule is changed so as not to cause excessive overtime. For example, an employee who works from 7:00 to 15:00 will change their schedule to 10:00 to 18:00 for a departure in the evenings.

In the Prairies, NOR and Atlantic regions, IEOs are day workers. They do not change their schedules in order to reduce overtime, due to the lower number of available officers. They advise that if their schedules were changed, the officers would not be available to perform other duties during the regular day, before departing on escort.

#### Recommendations:

The United States Immigration and Customs Enforcement (US ICE) establishes work schedules to correspond to the work requirements. Various shift schedules are used so that travel is avoided, when possible, during non-duty hours.

Where IEOs are shift workers, shifts are already being changed. Where IEOs are day workers, their schedule should be changed in order to minimize overtime, as is already done in the Quebec region.

Where this would result in staffing issues, other arrangements may be made instead. In the Atlantic region, transport escorts may be contracted to private security guards, as they are in other regions, so that the officers may be dedicated to other duties. Similar to the Atlantic region's arrangement with Montreal, the Prairies region's international removals may be arranged and conducted by the Pacific region, or GTA region, as appropriate, with private contractors carrying out transports to the point of departure.

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## **17. Allowing the person under removal to purchase their own ticket**

In the Pacific, Prairies, Quebec and Atlantic regions, persons under removal may purchase their own ticket, even if they are under escorted removal. However, escorted persons are rarely willing or rarely have the means to purchase their own ticket. Persons with criminal history have a low chance of returning to Canada. The GTA region does not allow persons under escorted removal to purchase their own ticket in order to control the removal date and ensure the proper routing and coding on the tickets.

Therefore, allowing a person under escorted removal to purchase their own ticket may not be feasible. However, if the person wishes to purchase their own ticket, they must purchase the ticket in accordance with the lowest cost-itinerary (in consideration of escort officers' airfares and overtime) as determined by the CBSA and provide the travel agent's name and contact information.

## **18. Cost tracking and budget management**

In the Prairies and Atlantic regions, escort costs are not tracked and regular reports are not provided to senior management. They rely on CAS as a record of escorted removal costs.

In the Pacific Region, only airfare and booking information is logged by the "Travel Desk", and CAS is relied upon for records of other expenses. The Director is provided with monthly reports of escort costs, but this report is not detailed, as it only contains the total cost of escorted removals.

In the GTA and Quebec regions, as of this fiscal, detailed records are currently kept in MS Excel of escort costs, and regular reports are provided to the Director. Even though the information can be found in CAS, a separate tracking is maintained so that escort costs can more easily be managed and reconciled.

### **Recommendations:**

It has been demonstrated by previous attempts to obtain escort costs from the regions that it is very cumbersome to obtain complete cost breakdowns of individual escorts from CAS, therefore it is recommended that offices track their escort costs separately in MS Excel. The spreadsheet should include officer overtime/salary, travel expense claims, officers' airfare, and deportee airfare. The spreadsheet should be reviewed on a monthly basis to ensure that costs are as expected. Also, higher cost travel expenses or airfares may be reviewed in order to determine if there may be alternatives found that would reduce costs for similar escorts in the future. On a regular basis i.e., monthly, reports should be provided to the Director.

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## THE TRAVEL DIRECTIVE AND REDUCTION OF BUSINESS CLASS TRAVEL

The NJC conducts regular cyclical reviews of the Travel Directive approximately every three years. The last review was conducted in 2011-2012 and did not result in any changes to the Travel Directive. In order to eliminate or amend the provision of business class travel on a nine-hour flight to IEOs, either the Travel Directive itself would have to be changed by the NJC to eliminate this provision for all Government of Canada employees or the Travel Directive may be eliminated from a future FB collective agreement. In either process, the initiative must be supported by both through collective bargaining.

The demand for premium air travel has decreased internationally, resulting in airlines' reduction in the offering of business class seats. The demand for premium seating such as business class suffered a structural hit since the global recession of 2009. During recovery, the demand did not bounce back relative to the magnitude of the fall. Premium traffic growth has continued to trend slower than economy traffic.

Discount airlines such as West Jet and Air Transat have been established that do not have business class cabins on their flights. This year, Air Canada launched a new economy airline, Air Canada Rouge, to compete more effectively against rivals such as WestJet Airlines and Air Transat. Air Canada Rouge offers flights to some European and Caribbean destinations at a lower cost, and they do not offer business class seating.

The requirement for officers to travel in business class during their return is not absolute. Since the Travel Directive indicates "where available", there is no obligation for the employer to provide travel only on airlines that have business class seats available. Discount airlines that do not offer seats in business or executive class may be used for any travel, even if the continuous air travel exceeds nine hours. If there is a business class cabin but the seats are sold out, there is no requirement to change the dates of travel or amend the itinerary to allow for availability of business class seats.

The employer may offer the possibility of stopovers, or escort officer rest periods, on economy travel. Grievance jurisprudence by the Government Travel Committee has established that the employer is not obliged to provide up-graded travel when an employee refuses economy class with stopovers.

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According to the Travel Directive, it is the employer's obligation to provide escort officers with a 16-hour rest period after travel time of between 8 and 24 hours, and a 24-hour rest period after a travel time of 24 hours. Travel time includes any time awaiting immediate connections and travel to and from the carrier's terminal.

The Final Report of the Job Hazard Analysis 3 for Inland Enforcement & Hearings issued in May 2010 recommended that the CBSA review how the Treasury Board Travel Directive for rest periods is being applied to escort officers conducting lengthy removals in order to ensure that rest periods related to long removals are suitable and consistent with the Directive. The subsequent Action Plan document indicated that Escort Officers are considered "on duty" while in travel status and that the NJC Travel Directive has been implemented. Therefore when selecting return itineraries, the focus should be on providing adequate rest periods and on selecting itineraries, where possible, that provide for air travel less than 9 hours between rest stops.

As well, if officers are arriving in other cities within Canada or the USA, there is no Travel Directive requirement for business class during the flight to the officers' headquarters.

Flights between Toronto or Montreal and transportation hubs in Europe, such as London, Amsterdam, Brussels and Frankfurt, are less than 9 hours. Flights from many international destinations, such as Accra, Addis Ababa, Bucharest, Budapest, Moscow, Nairobi and even New Delhi are available to these European hubs that are also less than 9 hours. Similarly, flights between Vancouver and Tokyo are less than 9 hours. There are flights to Tokyo from Asian destinations such as Vietnam, China and Thailand that are also less than 9 hours.

Therefore, if officers are given rest periods at these destinations, then again a transit during the return, business class flights are not applicable. According to the PWSGC Directory, suitable hotels are available near airports in these European transits and in Tokyo for less than \$200 CAD. Officers from other regions may then be offered an additional rest period at the Canadian city of arrival.

Returns from South America can be split in the same way. For example, a direct flight from Sao Paulo to Toronto is 10.5 hours. The flight from Sao Paulo to Miami is 8.5 hours and the flight from Miami to Toronto is 3.5 hours. If a rest period is provided in Miami in addition to the rest period in Sao Paulo, there is no entitlement to business class. Hotels near the airport in Miami are less than \$100 US per night and the flight from Miami can be scheduled during the day shift in order to reduce officer overtime. The cost of an economy class fare with transit is a fraction of the cost of a direct flight on business class.

Recommendations:

Other governments and private sector have reduced the provision of business class to employees and have made a commitment to reduce their "carbon footprint".

During the National Joint Council's next review of the Travel Directive, employer representatives may cite the United States government's travel policy regarding business class travel and recommend a reduction in the provision of business class to air travel more than 14 hours, and its restriction to occasions when the employee is required to report for duty the following day.

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In the meantime, when scheduling escorted removals, the itinerary options for escort officers' return flights, for each escorted removal, are to be costed and analysed to determine whether it is more cost effective to return officers on flights broken up by additional rest periods during the return, in order to book flights that are less than 9 hours. Care should be taken to ensure that the lengths of rest periods are at a minimum. A flight during regular duty hours may be taken to reduce overtime. Discount airlines should be used and when an itinerary is selected where there are no business class seats available for a long-haul flight, officers are not to be offered other options for their return where business class seats are available.

### THE CREATION OF ESCORT "HUBS"

An alternative to providing officers with additional rest periods is to base escorts out of the region with the direct return flight that is less than 9 hours. Private contractors would be used to transport detainees on a domestic flight and hand over custody of the person to officers at the point of departure from Canada.

Currently, the CBSA uses private contractors in Quebec, GTA and Pacific regions to transport detainees within Canada by motor vehicle. The contracts may be expanded to include transport by commercial air within Canada. The current guard contracts in the GTA and Pacific regions include transfers "to other airports" and interprovincial transports. The GTA contract goes further, to include "other destinations as required, including points outside of Canada". In either contract, although there are provisions for transport by vehicle, there appears to be no restriction on another method of transport. There is flexibility built into the contracts. The guards are given Tactical Certification but no air mode training; therefore their training may be expanded to include basic air mode training.

There is no requirement for a CBSA presence on a domestic flight. The Canadian Aviation Security Regulations 2012, Part 8, provides instructions regarding persons who are in the custody of an escort who is not a peace officer, recognizing that escort services may be provided under a contract.

Released persons would travel on the domestic flight as a regular traveller, without escorts. Their travel documents may be couriered to the hub airport. The escort officers would then meet the released deportee at the hub airport.

For example, return flights from London, UK to Winnipeg and Vancouver are more than 9 hours, therefore business class is required if officers are returning from London to their headquarters in Winnipeg or Vancouver. If private contractors are used to transport the person to Toronto, business class is not required to return officers from London to Toronto. Additional savings is found in salary/overtime when released persons travel to Toronto unescorted. In cases of escorts to other destinations, Toronto officers may escort persons to their destination and return to Toronto through London, with a rest period in London. Toronto would also serve as a hub for escorts of persons from the Prairies and Pacific regions to other destinations where the direct short-haul flight is available to Toronto, such as Colombia.

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For Asian destinations where it is more cost-effective to return officers to Vancouver through Tokyo, so that business class return is not applicable, Vancouver would serve as the hub. Montreal would serve as the hub where the short-haul flight returns to Montreal. These scenarios are detailed in Table 12.

The regions have been surveyed regarding this concept, and it has been stated that for high risk removals, more control is gained if the same officers escort throughout the entire trip. Rapport is key to officer safety and comfort with the person under removal and plays an important role in the success of an escorted removal. This rapport begins with a pre-escort interview. If officers take custody of the person at the hub, they would have the disadvantage of no prior contact with the person. Another possible limitation for the hub concept is, if the volume of removals is increased at the hub, the airlines may restrict the number of escorted removals on a particular flight, creating a backlog at the hub, and resulting in additional detention costs.

**Table 12: Comparison, Escort Officers from Region versus Private Contractors for Transport to and Escort Officers from Hub**

Destination	Regional City	1 Officer Salary + OT Cost from Region	Business Class Return?	Hub	Total Salary + OT Contractor and Officers from Hub	Business Class Return?
Amsterdam	Winnipeg	\$2,024.19	Yes	Montreal	\$1,801.14	No
London	Winnipeg	\$1,811.57	Yes	Toronto	\$1,728.46	No
London	Vancouver	\$1,752.03	Yes	Toronto	\$1,912.87	No
Bogota	Winnipeg	\$1,947.65	Yes	Toronto	\$1,648.06	No
Bogota	Vancouver	\$1,845.59	Yes	Toronto	\$1,535.36	No
Manila	Montreal	\$2,887.45	Yes	Vancouver	\$2,614.15	Yes
Manila	Montreal	\$2,887.45	Yes	Vancouver/Tokyo	\$3,379.60	No
Manila	Toronto	\$2,734.36	Yes	Vancouver	\$2,658.59	Yes

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Manila	Toronto	\$2,734.36	Yes	Vancouver/Tokyo	\$3,424.04	No
Manila	Winnipeg	\$2,470.70	Yes	Vancouver	\$2,614.15	Yes
Manila	Winnipeg	\$2,470.70	Yes	Vancouver/Tokyo	\$3,379.60	No
Beijing	Montreal	\$2,887.45	Yes	Vancouver	\$2,517.89	Yes
Beijing	Montreal	\$2,887.45	Yes	Vancouver/Tokyo	\$2,985.66	No
Beijing	Winnipeg	\$2,730.11	Yes	Vancouver	\$2,517.89	Yes
Beijing	Winnipeg	\$2,730.11	Yes	Vancouver/Tokyo	\$2,985.66	No

### Recommendations:

Officers from escort "hubs" may be assigned to removals where it is more cost effective to bring the persons to the hub using private contractors and return the officers to their headquarters on an economy class flight.

Procedures would need to be implemented and monitored in order to ensure cost savings.

Officer rapport with the person under removal has been cited as an issue. Security personnel that conduct escorted removals on behalf of airlines for airline liability cases do not interview the person under removal in advance. They take custody of the person at the airport at the time of departure. Incidents have been rare where a removal that has been escorted by airline security has been unsuccessful.

The private contractors used by the UK do not conduct pre-escort interviews. Their contact with the person under removal begins when they pick up the person from the detention centre for the removal.

The issue of lack of rapport with the person may be mitigated through risk management. The removals officers must ensure that they communicate with the person about what they may expect during the removal process, i.e. advise the person if different officers or guards will be transporting and escorting. The escort officers may make arrangements to speak with the person in advance, if necessary, via teleconferencing or videoconferencing.

In rare occasions where it is necessary for an officer that has already built a rapport with the person to continue to participate in the removal process (i.e., dangerous/very violent persons, extremely resistant persons), that officer may conduct the transport to the departure city or arrangements may be made for that officer to participate in the escorted removal. The approval of this, when it would result in additional cost for the escorted removal, should be at the Director level.

## REVIEW OF ENF REMOVALS 10, SECTION 27

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It is recommended that the operational manual be amended in order to provide more instruction and guidance regarding removal risk assessments and the assignment of officers to escorted removals, according to the above recommendations for the removals program.

For example, the manual indicates that the final decision on the need for escorts rests with the manager or supervisor, but due to the higher rates of escorted removals in certain regions, it has been demonstrated that there is a need for this decision to be made at a higher level.

The section regarding the assessment of the need for escorts may be expanded to include circumstances where there may be some risk, but insufficient risk to warrant escorts. More instructions are required regarding the decision to assign more than two officers to an escort. More alternatives to escorts may be suggested, such as the use of airline or private accompaniment services. This would involve amendments to the requirements to escort unaccompanied minors so that they are in accordance with airline requirements and services on offer.

As an alternative to amending the operational manual, or as a stopgap until the manual is amended, a separate document such as an Operational Bulletin may be issued.

## LEVERAGING EXISTING GOVERNMENT FLEETS FOR CHARTERS

### DEPARTMENT OF NATIONAL DEFENCE

The CBSA has contacted the Department of National Defence (DND) and has been advised that there are arrangements or standard operating procedures for other government departments (OGDs) to use DND fleets on a cost recovery basis. The point of contact in Strategic Joint Staff has been provided for the use of military aircraft by OGDs.

The Royal Canadian Air Force (RCAF), DND currently has six CC-144 Challenger business jets. These jets are based out of Ottawa and are outfitted for 2 pilots and 9 passengers.

Previously, when a person could not be removed by commercial flight, CBSA has chartered Learjet 35, Learjet 60, and Hawker aircraft from private charter companies such as SkyService. The capacity of one of these aircraft is only eight passengers, therefore the Challenger provides for one additional passenger. If two escort officers are assigned to the first deportee and one additional officer for each additional deportee, a maximum of three removals may take place on an aircraft with an 8-passenger capacity. With an additional seat, a maximum of four removals may be carried out on the RCAF's Challenger aircraft.

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Generally the cost of using the DND's Challenger jet is \$3,900 per hour plus incurred landing fees and additional costs. This is comparable with the average hourly rate charged by the private sector for Learjets and Hawkers. Private companies charge an average hourly rate of more than \$5,000 for the use of a Challenger jet. For small scale charters, if the maximum capacity is used by scheduling multiple removals, it is more economical to charter the RCAF's Challenger than a private jet. Given that only costs would be recovered by the DND, this arrangement would result in efficiency and better public perception for the government than using a private jet, as there would be no premiums paid to a private business, and the government would be making use of its existing assets.

As an option for large-scale charters such as joint charters with other countries, the RCAF also has five CC-150 Polaris (A-310 Airbus) aircraft based out of Trenton, Ontario. These multipurpose long-range aircraft can be converted for passenger, freight or medical transport, or a combination of these configurations. These aircraft can carry 194 passengers. Generally, the cost of this aircraft is \$16,000 per hour. This is comparable with what would be charged for a large Executive/VIP airliner or Airbus in the private sector.

On top of the costs per hour, charters incur landing fees and additional costs including ramp fees, government taxes, international fees, crew overnight and per diem costs, wait time fees, de-icing fees, permit and customs fees, catered meals, charges for in-flight phone use and cleaning fees. These costs can vary depending on the landing airports and length of the trip. There would be no difference in the fees and add-ons charged by a private charter or through cost recovery by the DND.

## ROYAL CANADIAN MOUNTED POLICE (RCMP)

In 2003, an RCMP jet (a Pilatus PC-12) was used for a transport from Calgary to Toronto for a removal by joint charter with the United States. This was as per the MOU between CIC and RCMP to assist with domestic transports and removals. Arrangements may be made through an MOU between the CBSA and the RCMP to use their fleet. However, RCMP aircraft are lower-range than DND aircraft.

The RCMP's Piaggio Avanti has a capacity of 4 to 6 passengers and a limit of a 1000 mile radius between fuel stops. The Pilatus, PC-12 aircraft which flies at 70% the speed of the Piaggio, is also limited to a 1000-1200 mile radius and can take up to 9 passengers.

RCMP aircraft are able to make trips to Central and South America, but cannot fly over the United States, so this may not be the most cost-effective option for international removals. The RCMP, police, the Attorney General and Public Safety Canada have previously chartered a DND jet for the purposes of an extradition from Europe.

## JOINT CHARTERS

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## AIRFARE COSTS

Shared Travel Services (STS) of the PWGSC was established to improve the travel experience of Government of Canada (GC) employees by providing standardized tools to simplify travel arrangements, increase support while travelling, and efficiently manage expenses while reducing the costs of travel. As of 2009-10, STS already had 15 airline discount agreements which cover 80% of the flying volume of all government travel, with discounts ranging from 10% to 50%, for a weighted average of 12.5%. According to the 2008 mid-term review commissioned by PWGSC and TBS, discount rates were within industry benchmarks.

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According to STS's most recent audit, the 2010 *Evaluation of the Shared Travel Services Initiative*, guaranteeing business volume could produce steeper discounts on airline tickets. In such an agreement, the federal government as a whole would guarantee a certain volume of purchases from qualified suppliers. Business intelligence would play an important role in such contract negotiations, since the government would require a complete understanding of travel expenditures in order to commit to guarantees. If the necessary volume is not achieved, the supplier could have the right to cancel the discount or administer a penalty. As such, because of the risk with such an approach, knowledge of travel volumes would be essential.

The current third party service provider of Travel Management for the Government of Canada is American Express (AMEX). Built into the contract with AMEX is a low fare guarantee. If the travel advisor fails to secure the Lowest Logical Airfare (usually the lowest available fare) is not secured based upon the parameters of the Government's policy, the difference between the fare booked and the Lowest Logical Airfare will be refunded. The same low fare guarantee will be in the contract with the future service provider for government travel, Hogg Robinson Group (HRG).

AMEX already works with consolidators where possible to purchase airline tickets at a discount, therefore it is expected that HRG would be able to do this as well. Consolidators are companies that buy large quantities of tickets in bulk from the major airlines at bulk prices and resell them at attractive discounts. Particularly on international flights, consolidator fares are generally the best discounted airfares available. They are usually cheaper than the lowest published airfares available.

IATA regulations forbid the direct discounting of tickets directly to passengers. Business travelers, and others who need a maximum flexibility or choice of flights, buy from the airlines at the official prices. However, airlines offer consolidators large commissions and then the consolidators pass some of the savings on to passengers. Consolidators tend primarily to service major gateway cities.

As with most bargain fares, consolidator airfares are more likely to be available for economy class than for business class tickets. They are also more likely to apply to flights with stop-overs than to direct flights.

There are risks with using consolidators for tickets for removals. Many consolidator fares are non-refundable, and some are non-changeable. Future travel credits are usually not available for consolidator tickets should the removal be cancelled. The nature of the business of removals is that arrangements are frequently changed or cancelled for various reasons: i.e., Federal Court stays, deferrals of removal, delays in emergency travel document issuance, denials by airline security or transit authorities, outstanding criminal court matters, or the person fails to appear for removal. On international flights, where permitted, most consolidator penalties to change dates of travel are \$50-\$100 more than penalties for changing published fares.

Therefore, Shared Travel Services and the third party service providers are already obtaining discounts where possible for travel for escorted removals, within the limitations and parameters required for removals. Increasing the use of consolidators to buy airline tickets in bulk for removals may lead to

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increased expenditures for penalties and losses should the removal arrangements be changed or cancelled.

## DESIRED OUTCOMES OF PROGRAM IMPROVEMENTS

Once implemented, the program enhancements and "best practices" described above will reduce escort travel expenditures in a short period of time, without making drastic changes to escort procedures or changing the roles and responsibilities of IEOs. It is anticipated that these enhancements and practices will reduce expenditures with respect to travel for escorted removals by at least 5% in the first year. It is recommended that these improvements be implemented as soon as possible. Each region should be tasked with tracking all escort costs and logging the itineraries booked during the fiscal year 2014-2015, at the end of which it will be determined whether the regions have achieved these best practices, whether the desired savings have been achieved, or if escorted removals should ultimately be outsourced.

In summary, these best practices and program enhancements will result in reduced expenditures by:

- Reducing the rate of escorted removals to a national rate of less than 5% of all removals, which will reduce the requirement for escort travel.
- Reducing the number of officers assigned to escorted removals. This will be achieved by:
  - Assigning only one escort officer, as a facilitation, when there is insufficient risk for an escorted removal, but a CBSA presence is required.
  - Arranging for an alternative to the use of a CBSA officer for removals where the person under removal requires assistance or facilitation.
  - Limiting the assignment of three officers to an escorted removal to only exceptional cases. Most escorted removals should proceed with a maximum of two officers.
  - The elimination of the assignment of new officers as a third officer for training purposes.
  - Increasing the number of "tag" escorted removals through coordination between regions.
- Working with airline management to: reduce the number of removals that require escorts, when CBSA had determined that there is insufficient risk to warrant an escorted removal; reducing the number of officers required, or finding alternative itineraries.
- Outsourcing all Transport Escorts and Unescorted CODs to contracted security guards. This includes outsourcing all domestic transports of detained persons by commercial air, up to the departure hub or point of departure from Canada.
- Limiting the execution of escorted removals by CBSA escort officers, when it is the airline's liability, to situations where the airline is no longer in operation.
- Booking removals at least 14 days in advance, where possible, in order to obtain the lowest possible airfares, i.e., removals of federal offenders and released removals.

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- Establishing clear approval levels with regard to all aspects of the escorted removal process, in order to manage escort volumes and budgets. The recommended management approval levels are found in Table 13. All decisions made by managers are to be documented. Detailed escorted removals costs are to be tracked in an MS Excel spreadsheet for review and reporting purposes.
- Changing IEO schedules for escorted removals in order to reduce overtime.
- Selecting itinerary options that reduce the cost of the escort, i.e., by avoiding business class air travel, through the provision of additional rest periods or stopovers to break up the officers' return. Escort "hubs" may be created to facilitate this, by basing the escorted removal out of the departure point that will result in the lowest overall costs, by eliminating the need for business class tickets.
- Reducing escorted removal expenditures through joint charters with US and international partners and utilizing Canadian government fleets.
- During the National Joint Council's next review of the Travel Directive, employer representatives may cite the United States government's travel policy and recommend a reduction in the provision of business class to air travel more than 14 hours, and its restriction to occasions when the employee is required to report for duty the following day.

**Table 13: Approval Levels for Escorted Removals**

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### ANNEX A - RAM Totals for all Regions

#### RAM Totals for All Regions Fiscal Year 2011- 2012

	Low Effort in hours	High Effort in hours
<b>Hearings : RPD &amp; RAD, Audiences: SPR &amp; SAR</b>		
Triage	4.25	10.5
Review / Révision	13.75	28.75
Prepare Intervention / Préparer l'intervention	7.5	22.5
Conduct Intervention / Intervenir	9	17.5
<b>Sub Total</b>	<b>34.5</b>	<b>79.25</b>
Appeal by Minister at RAD / Appel par le Ministre à la SAR	18	47.5
Appeal by Claimant at RAD / Appel par le demandeur à la SAR	13.5	26.5
Intervention by Minister at RAD / Intervention du Ministre à la SAR	15	33
<b>SubTotal</b>	<b>46.5</b>	<b>107</b>
<b>Grand Total</b>	<b>81</b>	<b>186.25</b>
<b>Hearings : Immigration Division</b>		
<b>Audiences: Section de l'immigration</b>		
Detention Review	10.25	25.25
Inadmissibility Hearings	6.3	39.25
<b>Total</b>	<b>16.55</b>	<b>64.5</b>
<b>Hearings : Immigration Appeal Division</b>		
<b>Audiences: Section d'appel de l'immigration</b>		
Alternative Dispute Resolution	5.79	11.91
Appeal	14.82	46.58
<b>Total</b>	<b>20.61</b>	<b>58.49</b>
<b>Hearings : Cessation &amp; Vacation</b>		
<b>Audiences: Perte et Annulation</b>		
Cessation	38	50.5
Vacation	38	50.5
<b>Total</b>	<b>76</b>	<b>101</b>
<b>Hearings : Judicial Review</b>		
<b>Audiences: Contrôle judiciaire</b>		
Initiate	8	12
Respond	2	4.5

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<b>Total</b>	<b>10</b>	<b>16.5</b>
<b>Investigations</b>		
Investigations	7.25	101
Issue Warrant	1.5	6
Arrest and Detain	4.25	20
Track Criminal Court Proceedings	3	19
Conditions, Deposits and/or Guarantees	3.5	14
Write and Process Inadmissibility Report	1.75	20
Process Front-End Refugee Claims	3.5	21
Re-Determine Eligibility of Refugee Claims	2	18
<b>Total</b>	<b>26.75</b>	<b>219</b>
<b>Removals</b>	<b>40.5</b>	<b>289</b>
<b>Removals Total</b>	<b>40.5</b>	<b>289</b>

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Respect

Excellence

Integrity

Leadership

# Identification and Assessment Of Options for the Escort Program

Prepared for: Canada Border Services Agency  
By: Government Consulting Services

Project Number: 520-1412  
May 2011



Public Works and  
Government Services  
Canada

Travaux publics et  
Services gouvernementaux  
Canada

Canada



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## Executive Summary

Government Consulting Services was engaged by the Canada Border Services Agency (CBSA) to look at the feasibility of alternative delivery models for its Escorted Removal function. Previous studies by the Agency and others concluded that CBSA could potentially increase the cost-effectiveness of this function. Thus, GCS undertook a review to determine if alternative models of service delivery were feasible and the options available to management.

At the outset, the GCS research and analysis confirmed the findings of previous studies which concluded that the overall cost of completing escorted removals via commercial flights could be significantly reduced. GCS found that the cost of delivery in FY10/11 was \$7.5M, with the average cost per escorted removal at \$13,933. The officers' related expenses constituted the bulk of the direct costs (90%).

After close examination of the current model, GCS concluded that the overall impact on productivity is considerable. It is estimated that the total time to complete escorted removals in FY10/11 was 78,160 hours. During this time, escort officers are away from primary duties. Beyond being a significant cost to the Agency, GCS estimates that the equivalent of 41.5 FTEs are absent from other primary duties to fulfill this function.

GCS determined that there were no major impediments to altering the current delivery approach. After considering several delivery options, GCS concluded that fully outsourcing the escorted removals function would be most optimal. This option is consistent with 4 other major countries that are either outsourcing, partially outsourcing or are intending to move this way. Outsourcing would permit the CBSA to free up scarce resources presenting a real opportunity for the CBSA in addressing emerging reallocation and rationalization pressures. For instance, the new Balanced Refugee Reform Act (Bill C-11), coming-into-force this fiscal year, will place greater demands for inland enforcement activities of the Inland Enforcement Officers (IEOs).

Furthermore, GCS determined that a fully outsourced escorted removals function could be modified to implement a lower risk, higher value interim hybrid approach allowing for smoother transition to steady state implementation. This hybrid solution would be supported by a change management strategy to allow IEOs time to adjust to the new model.

The hybrid involves the majority of the escorted removals being outsourced; however, CBSA would still retain the right to conduct high risk/profile removals. It will also allow CBSA to build optimal management oversight frameworks.

Although this study was not a full cost benefit analysis, CBSA could move forward with implementing a phased approach to outsourcing. Using a phased approach, further cost and benefit information would provide more specific information on the magnitude of cost savings and the optimization of resources.



## 1.0 Introduction

Government Consulting Services was engaged by the Canada Border Services Agency (CBSA) to undertake a high-level feasibility study and options analysis of the Escorted Removal function. In recent years, CBSA has conducted internal studies related to their Detentions and Removals Program and has been subject to both internal and Office of the Auditor General audits. Overall findings from those studies indicated that the escorted removals function, as it is delivered, may not be the most cost-effective means of conducting a removal and that further analysis should be undertaken.

The purpose of this report is to determine if alternative service delivery of the Escorted Removal Function is feasible, what options are available and which, if any, should be given further consideration. For the purposes of this study, escorted removals via commercial flights was the primary focus of analysis as this component has the greatest impact on CBSA in terms of cost and loss of productivity.

The findings from this study are organized into the following sections: the first provides a description of the approach and data collection methodologies used for this study, the second presents a profile of the Escorted Removals Function in Canada and internationally, the third details the findings from the feasibility study, and the last section presents management considerations.

### 1.1 Approach & Methodology

A two-step approach was adopted by the consulting team to conduct the work. The first step involved determining whether there were specific impediments that would obstruct the CBSA from changing its current model. If there were no significant impediments, the second step was to identify possible alternative service delivery models and assess their feasibility.

The work was undertaken from January to April 2011 and was informed by:

- **Documentation and research** including background documents, audits, studies, policies, historical data and international trends. (A list of reference material can be found at Annex A).
- **Consultations** with the Post-Border Programs Directorate (PBPD) Regions (Chiefs and staff) and Senior Management; key stakeholders such as Air Canada and Treasury Board Secretariat; and with various foreign governments performing escorted removals. (A list of consultation participants can be found at Annex B).
- **Working Sessions** with PBPD Senior Management and staff to validate findings and to assess potential service delivery options for the Escorted Removals function.

The collection and analysis of the information above took place in collaboration with PBPD personnel per the following methodology. (Please note that some of the steps occurred in tandem.)

- **Validation of the Current State:** Confirmed the operational requirements and validated the current state of the Escorted Removals function in Canada.
- **International Benchmarking:** Gained an understanding of the service delivery models of foreign governments, their advantages and disadvantages and whether they can be applied in the Canadian context. The focus was on the governments of the Five Country Conference (FCC) - Australia, New Zealand, United Kingdom and the United-States.
- **Feasibility Analysis of Alternative Service Delivery:** Determined if any barriers or constraints exist in considering alternative service delivery models for the Escorted Removal function. Considerations included function requirements, legislative and policy constraints, stakeholder impact, international trends, etc.
- **Options Identification:** Identified and described potential options for the delivery of the Escorted Removal function including a high-level pros and cons analysis.
- **Options Analysis:** Conducted an options analysis by:
  - Identifying assessment criteria to evaluate potential delivery models;
  - Weighting each criterion to reflect the relative importance of each to one another;
  - Assessed each option using a rating system of 1 – 5 for each criterion; and,
  - Ranking potential options based on the assessment.

## 1.2 Study Limitations

This study is a high-level feasibility study and options analysis of the Escorted Removal function, and not a full cost-benefit analysis. Therefore, certain study limitations should be taken into consideration.

- CBSA does not maintain a national database on their escorted removals function. The full cost of this function is not readily available as some regional offices do not fully track this information (i.e., salary costs, overtime, expenses, etc.). There did not appear to be significant operational differences between the regional offices that were interviewed for this study. Therefore, in order to obtain national estimates, the consulting team extrapolated data that was available for one regional office (e.g., average flight costs for CBSA officers, overtime costs, expenses, etc.) and applied it nationally.
- All Foreign Governments contacted for this study were asked to provide information on the cost associated with conducting escorted removals via commercial flights, including cost of conducting escorted removals, overtime, etc. Some were able to provide this information, while others do not track this type of data. However, while not all countries could provide detailed cost breakdown information, the strengths and weaknesses of the various delivery models were covered in detail.

- An IEO that is undertaking an escorted removal and is out of the office for several days will not be able to perform other primary duties related to the investigation and apprehension of those illegally in Canada. However, the full impact on productivity is unknown as this information is not tracked by the CBSA. While the consulting team was able to estimate the yearly total hours and number of FTEs needed to complete the escort, no data was available to estimate the total loss in productivity (e.g., total number of investigations that could have been completed).
- Questions related to CBSA's ability to successfully conduct escorted removals were not within the scope of this study as the CBSA management and staff feels it conducts escorted removals successfully per Canada's immigration policy objectives. (These objectives are outlined in section 2.1). The study is focused on the feasibility of alternative service delivery models which would adhere to these objectives in a more cost-effective manner.

## 2.0 Current State: Canada and International Trends

An escorted removal entails the removal of a foreign national to their country of destination accompanied by one or more escorts. While there are different modes of transportation used to remove an individual from a country, air transportation (chartered, commercial) involves the greatest cost to governments as flight costs for the escort(s) and the foreign national, hotel accommodations, and escort officer(s) time away from the office to carry out this duty are significantly greater than ground transportation which is usually completed within a working day and does not require overtime. Given this, escorted removals by commercial air transportation are the primary focus of the study.

This section of the report provides information on escorted removals via commercial flights undertaken by CBSA and those undertaken by other foreign governments. Key findings that informed the conclusions of this two-step study are also highlighted at the end of each section.

### 2.1 CBSA Escorted Removals

Under the provisions of the Immigration and Refugee Protection Act (IRPA), the Canada Border Services Agency (CBSA) is responsible for the investigation and removal of individuals who do not have a right to enter or stay in Canada. Inland Enforcement Officers (IEOs) remove foreign nationals when they have contravened IRPA and its regulations and are the subject of an enforceable removal order. In some cases a foreign national will return to their home country voluntarily. In others, CBSA officers must undertake an "escorted removal" and physically escort a foreign national to assure that their removal is completed.

The CBSA removes individuals from Canada in order of priority: (1) they pose a threat to the security of Canada; (2) they are involved in crime, organized crime or crimes against humanity; (3) they are failed refugee claimants; and (4) they are otherwise inadmissible (e.g., expired visas, misrepresentation of their identity, including marriages of convenience and fraudulent documents).<sup>1</sup>

In all cases, whether foreign nationals are escorted or not, removals are conducted per Canada's immigration policy objectives<sup>2</sup> which are to:

- Maintain and protect public order, health and security in Canada;
- Ensure that all the legal rights accorded to foreign nationals being removed are observed;
- Remove inadmissible individuals, including criminals, from Canada expeditiously; and
- Conduct their removal effectively and equitably.

<sup>1</sup> Internal Audit and Program Evaluation Directorate. *CBSA Detentions and Removals Programs – Evaluation Study*. November 2010. P. 48.

<sup>2</sup> Citizenship and Immigration Canada. ENF 10 Removals. 31 March 2010

### 2.1.2 CBSA Escorted Removals in Numbers

In 2009-2010, the CBSA undertook 538 escorted removals via commercial flights. Though a percentage of escorted removals were undertaken via other modes of transportation, those via commercial flights have a far greater impact on the CBSA in terms of monetary cost (transportation, accommodation, etc.) and loss of productivity (secondary-duty time and off-duty time away from the office). This is due in part to Canada's geographic location as escorted removals from Canada often require air travel via multiple transit points and therefore longer escorted removals.

Costing information was not available at a national level; however the consulting team was able to obtain separate costing information from the Montreal, Toronto/Ottawa, Prairies and Pacific regional offices. The completeness of information varied by regional offices – with some offices unable to provide a complete breakdown of escort removals costs, while others could only provide data for a few months. Overall, the consulting team was able to calculate average cost information (e.g., salary, overtime, etc.) by regional offices for FY2010/11, with the exception of the Pacific region where costing information was only available for FY2011/12.

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<sup>3</sup> Citizenship and Immigration Canada. *ENF 10 Removals*. 31 March 2010

<sup>4</sup> Citizenship and Immigration Canada. *ENF 10 Removals*. 31 March 2010

<sup>5</sup> Citizenship and Immigration Canada. *ENF 10 Removals*. 31 March 2010

**Table 2.1: Average Escorted Removal Costs by Regional Offices**

REGION	Average Airfare Costs for Deportee	Average Airfare Costs for Escorts	Average Travel Expenses	Average Salary Cost	Average Overtime Costs	Average Total Escort Cost
PRAIRIES	\$1,698	\$8,765	\$1,618	\$1,773	\$3,437	\$17,290
PACIFIC	\$1,193	\$7,344	\$1,528	\$1,786	\$2,502	\$14,352
TORONTO	\$1,183	\$4,591	not available	\$1,576	\$2,183	\$9,216
MONTREAL	\$1,679	\$7,440	\$1,788	\$972	\$2,501	\$13,307
OTTAWA	not available	not available	not available	not available	not available	\$15,500
<b>AVERAGE</b>	<b>\$1,438</b>	<b>\$7,035</b>	<b>\$1,644</b>	<b>\$1,527</b>	<b>\$2,656</b>	<b>\$13,933</b>

\* Pacific regional office data is for FY2011/12

The estimated overall cost of undertaking the 538 escort removals completed in FY2010/11, and based on the data provided by regional offices, is presented in Table 2.2.

**Table 2.2: Estimated Escorted Removal Costs for Fiscal Year 2010 – 2011**

Costs and Hours	Estimated Annual Total Cost (Applied to 538 Escorted Removals)
Flight Costs for CBSA Escort Officers	\$3,784,908
Flight Costs for Foreign Nationals	\$773,782
Expenses (Accommodations, Incidentals, etc)	\$884,718
Cost of Regular Working Hours	\$821,311
Costs for Overtime Hours	\$1,428,804
<b>Total Costs</b>	<b>\$7,495,935</b>
Hours per Escort Mission (145.28 avg hours per mission)	78,160

Note: Average hours per escorted removal are based on data provided by the Montreal regional office. Hours per removal will differ by region (i.e., Prairie office escorted removals will take longer as there are more stop-over flights in Canada prior to arriving at final destination). However, the Montreal regional office was the only office with complete information regarding hours to complete an escorted removal, and this average was applied to arrive at national estimates.

Based on the above data, the following points were considered in assessing the current state of the Escorted Removals program:

- The average cost of an escorted removal via commercial flight in FY 2010-2011 was \$13,933. The bulk of the cost (90%) covered CBSA escort officers' related expenses. Over half of the total cost of an escorted removal consists of airline tickets for the escort officers who, for long distance flights, return to Canada in business class (as per TBS travel directive). Another significant portion of the cost is the overtime (approximately 20%) and accommodation and incidental expenses for the escorts (12%);

- The estimated overall cost to the Agency in completing 538 Escorts via commercial flights in FY 2010-2011 was estimated at \$7.5M. Considering available international comparator data (detailed in Section 2.2), the average cost of completing an escorted removal appears to be significantly higher than other FCC countries;
- On average, an Escorted Removal via commercial flight requires 145 hours per escort (escorted removals normally require two escort officers). In other words, when factoring in regular time and overtime, the Agency compensates an IEO 75 hours of work; the equivalent being approximately two weeks of work; and
- The impact on productivity is sizeable. It is estimated that the total time to complete 538 Escorts via commercial flights was 78,160 hours. This is equivalent to 41.5 FTEs. The time that escort officers are away from primary duties is a significant cost to the Agency. Given existing Agency pressures, having the equivalent to 41.5 FTEs out of the office conducting escorts and not working on other primary duties or key issue areas within the Agency is of concern. A preliminary baseline study on the resources required to carry out the business of Inland Enforcement<sup>6</sup> estimates that it takes 55.5 hours to complete a routine case (18.5 hours to complete routine investigations, 26 hours to complete routine detentions and 11 hours to complete routine removals). Given these estimates, a total of 1130 routine cases could be completed by the Agency if resources were redirected.

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<sup>6</sup> "A baseline Study: Analysis of the Resources Required to Carry Out the Business of Inland Enforcement, CBSA Prairie Region Inland Enforcement Division, 2 May 2011



**Key Finding 2: The escort officer function may not be the most optimal use of highly-trained IEOs.**

Inland Enforcement Officers are multi-disciplinary and highly trained officers who conduct a variety of inland enforcement functions such as investigations, detentions, and removals. An escorted removal will have an IEO away from the office for significant periods of time (2 to 7 days). This affects productivity and impedes IEOs' availability to perform these primary duties – the investigation and apprehension of those illegally in Canada.

**Key Finding 3: The estimated overall cost of escorted removals via commercial flights is significant.**

The overall cost to CBSA of conducting escorted removals via commercial flights is high due to travel directives and collective bargaining constraints resulting in IEOs incurring a significant amount of overtime and other travel related expenses.

### **2.1.3 Regional Overview**

Consultations with regional (Ottawa, Montreal, Prairie, Toronto, Vancouver) personnel were undertaken to further understand the current state of the Escorted Removals function across the country and to take into consideration aspects, if any, that are regional specific. The following provides an overview of the Escort Function across the regions.

**Table 2.3: Regional Overview**

Information						
Program Scope	Removals	Approximately 6000 / year	Approximately 300 / year	Approximately 3600 /year	Approximately 1300 / year	Approximately 600/year
	Escorted Removals	Approximately 220 / year	Approximately 25 – 30/ year	Approximately 100 to 110/year	Approximately 180-240/ year	120/year
	Inland Enforcement Officers	120 IEOs	Approximately 10 IEOs conduct escorted removals	60 IEOs - 50 IEOs voluntarily conduct escorted removals	65 IEOs	39 IEOs
	Escorted Removal Destinations					
	# Escorted Removals / IEO	Avg. 4 to 5 escorted removals /yr	Avg. 10 escorted removals /yr	Avg. 6 to 7 escorted removals /yr	Avg. 12 escorted removals /yr	Avg. 3
	Avg. Total Annual Overtime	Approximately \$500K (2008/09) Budget		\$300K ('2010/11) Budget \$200K Actual	Approximately \$275k - \$350k / yr	\$200K (Budget for 2010/11) \$600k (Actual – majority escort related)
	Avg. Overtime Incurred/ IEO / Escort Removal	\$2000 (can be as high as \$5000k)		\$2,522		\$20K to \$30K
Specific notes pertaining to Regional Business Models and Challenges.						

## 2.1.4 Key Issues Identified by Regional Offices

The consultations with the regional offices confirmed the overall sense that the quality of escorted removals is high. There was consensus that escorted removals are conducted in an efficient manner given the many factors and constraints that impact an escorted removal. However, the regional offices highlighted various challenges to the operations of the escorted removals function. The challenges identified are for the most part common across all regions and include:

- TBS Travel Directive: Escorted Removals are subject to the TBS Travel Directives. This can impact the success of an escorted removal in that a longer route can sometimes be booked due to travel policy; requiring Escort Officers to be awake and alert for long periods of time (i.e. 40 hours). Furthermore, it impacts what travel arrangements can be made, often increasing costs.
- Productivity and Operational Capacity: An escorted removal can remove an IEO from the office from 2 to 7 days due to long-haul removals and the rest periods that must be respected per the collective bargaining agreements. This may be negatively impacting productivity and impeding IEOs' availability to perform their primary duties – the investigation and apprehension of those illegally in Canada. In some cases, the redistribution of workload was deemed manageable whereas in others (e.g. small units, periods of year with a high number of escorted removals being undertaken, etc...) operational requirements suffered. This is of note given that the coming-into-force of the *Balanced Refugee Reform Act* will increase the demands and the requirement for enforcement activities.
- Quantifying Impact of the Escorted Removals Function: It is difficult for personnel to articulate or fully quantify the impact on enforcement operations of having highly trained IEOs away for periods of time on escorted removals as true program costs are difficult to determine and the cross-functional nature of the IEOs work makes it a challenge to determine how workload is divided. In 2010/11, it is estimated that 78,159 hours were required to undertake 538 escorted removals via commercial flights. In other words, it took 41.5 FTEs to undertake these escorts, and the impact of having these resources out of the office and not working on enforcement operations is unknown.
- Air Carrier Requirements: Various air carriers have put in place stipulations regarding the number of escorts required. For instance, Air France requires three escorts to accompany a detainee being removed on their flights.
- Allocation of Escorted Removals: There is a sense that the allocation of Escorted Removals to IEOs (i.e. offered overtime) is not understood or done in a transparent manner. Although it was understood that Escorted Removals are to be allocated based on requirement (i.e. female deportee would require a female escort), equitable distribution of overtime offered, availability, and, in some cases, expertise required, participants expressed that there is a lack of transparency in the allocation.
- High level of management oversight required: As noted by one regional office, a high level of management oversight is required to ensure that IEOs do not 'sit' on a file and submit it only when they know whose next in line for escort duties (regional offices maintain current lists of officers with the least amount of overtime offered).

Management effort is required to ensure that case files are processed in a timely manner, and that files are not held up.

**Key Finding 4: Most impactful challenges are inherent to the government operating environment**

Various challenges were noted by the regional offices. Of note is that those which are deemed to have the greatest impact on cost and productivity are inherent to the government environment. (i.e., TBS Travel Directive and the Collective Bargaining Agreements). Though similar constraints may exist in the private sector or non-for-profit sectors, foreign governments noted that they are not as common and have less of an impact on overall operational costs.

**Key Finding 5: There will be increased demand for IEO inland enforcement activities.**

In addition to the findings in this section, the new Balanced Refugee Reform Act (Bill C-11) is coming-into-force this fiscal year. Under this new Act, the CBSA will be required to undertake removals within specified time periods. Though the number of escorted removals is not expected to significantly increase, the number of removals to be effected per year will increase. Therefore the demands for the inland enforcement activities of the Inland Enforcement Officers (IEOs) will increase; putting additional pressures on the inland enforcement function.

## **2.2 International Trends**

Internationally, there are a variety of approaches to the delivery of the escorted removals function. For the purpose of this study, the consulting team focused on the United States, United Kingdom, Australia and New Zealand. These countries along with Canada are members of the Five Country Conference (FCC) which is a forum for co-operation on migration and border security. As these countries currently work together and share best practices, the strengths and weaknesses of each country's delivery options were reviewed.

United Kingdom:

Australia:

New Zealand:

United States:

## **5.0 Annexes**

**Annex A: Bibliography**

**Annex B: Consultation Participants**

**Annex C: International Comparisons**

**Annex D: Alternative Service Delivery Options Analysis**

## Annex A – Bibliography

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## **Annex B – Consultation Participants**

### **Canada**

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- 24. CBSA Headquarters
  - a. Post-Border Programs Directorate Senior Management and Staff
  - b. Legal Services
- 25. Regional Offices: Ottawa, Montreal, Prairie, Toronto and Vancouver
  - a. Various Management and Staff (12 Participants)
- 26. Treasury Board of Secretariat of Canada
  - Acquired Services and Assets Sector, Office of the Comptroller General
  - Policy Advisors
- 27. Air Canada
  - Corporate Security Office

## Annex D – Alternative Service Delivery Options Analysis

The options analysis process included the following steps:

1. Conducting a Pros and Cons Analysis on the potential delivery models;
2. Identifying assessment criteria to evaluate potential delivery models;
3. Weighting each criterion to reflect the relative importance of each to one another;
4. Assessing each of the four options using a rating system of 1 – 5 for each criterion; and,
5. Ranking potential options based on the assessment.

There are a number of factors relating to the public sector that can be used to assess alternative service delivery models. Throughout the work and the options analysis, the consulting time took into considering the Office of the Auditor General (OAG)'s view that a successful service delivery arrangement would achieve the following:

- **Achieving objectives.** The new arrangement should provide better service to Canadians, meet its public objectives without undue negative impacts, and do so in a cost-effective manner<sup>1</sup>.
- **Accountability to Parliament.** The new arrangement, in its use of public funds and authorities, should ensure that adequate provision is made for accountability to the minister and through the minister to Parliament.
- **Transparency.** The new arrangement should ensure the availability of key information to Parliament and the public.
- **Protection of the public interest.** The new arrangement should serve the public interest.

These themes are reflected within this options analysis particularly within the assessment criteria defined by the CBSA to evaluate options.

The following details the analysis: